

JOURNAL

OF THE

INDIANA STATE SENATE,

DURING THE

THIRTY-FIFTH SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING

DECEMBER 30, 1850.



INDIANAPOLIS:
J. P. CHAPMAN, STATE PRINTER.
1851.

378

I50

JOURNAL

OF THE

SENATE OF INDIANA.

The Thirty-Fifth Session of the General Assembly of the State of Indiana, begun and held at the Capitol, in the city of Indianapolis, on Monday, the thirtieth day of December, in the year of our Lord one thousand eight hundred and fifty.

The Hon. JAMES H. LANE, President of the Senate of the State of Indiana, took the Chair, and directed a call of the Senators whose offices had not become vacated since the last session; whereupon, The following Senators appeared and took their seats:

- From the counties of Bartholomew and Jennings—William Herod.*
From the counties of Benton, Jasper, Warren and White—William G. Montgomery.
From the counties of Blackford, Jay and Randolph—Jacob Brugh.
From the counties of Boone, Hamilton and Tipton—William Garver.
From the counties of Brown and Monroe—Thomas M. Adams.
From the counties of Carroll and Clinton—Thomas Kinnard.
From the counties of Cass, Howard and Pulaski—George B. Walker.
From the counties of Clay, Sullivan and Vigo—James M. Hanna.
From the county of Dearborn—James P. Milliken.
From the counties of DeKalb, Noble and Steuben—Reuben J. Dawson.
From the counties of Delaware and Grant—Joseph S. Buckles.
From the county of Floyd—John B. Winsteadly.
From the counties of Fulton, Marshall and St. Joseph—Norman Eddy.
From the county of Hendricks—Jonathan S. Harvey.
From the county of Henry—George Evans.

INDIANA STATE LIBRARY

15427

P. 8. 9. 112

From the counties of Huntington, Kosciusko and Whitley—Henry Day.

From the counties of Jackson and Scott—Elisha G. English.

From the county of Johnson—Franklin Hardin.

From the county of Knox—Abner T. Ellis.

From the counties of Lake, Laporte and Porter—Abraham Teegarden.

From the county of Marion—Nicholas McCarty.

From the county of Montgomery—Joseph Allen.

From the counties of Ohio and Switzerland—John Woods.

From the counties of Perry, Spencer and Warrick—Christopher C. Graham.

From the county of Tippecanoe—John W. Odell.

The following Senators, elected since the last session of the General Assembly, appeared and produced their credentials, and having been duly sworn or affirmed as required by the Constitution, by the Hon. Alexander C. Downey, President Judge of the Third Judicial Circuit:

From the counties of Adams, Allen and Wells—Samuel S. Mickle.

From the county of Clark—James S. Athon.

From the counties of Crawford and Orange—Houston Miller.

From the counties of Daviess and Martin—William E. Niblack.

From the counties of Dubois, Gibson and Pike—Benjamin T. Goodman.

From the counties of Elkhart and LaGrange—Joseph H. Defrees.

From the county of Fountain—Solon Turman.

From the counties of Greene and Owen—Jesse I. Alexander.

From the counties of Hancock and Madison—John Hunt.

From the county of Jefferson—Joseph G. Marshall.

From the county of Lawrence—George G. Dunn.

From the counties of Miami and Wabash—Benjamin Henton.

From the county of Morgan—Alfred M. Delevan.

From the counties of Posey and Vanderburgh—Enoch R. James.

From the county of Ripley—Hiram Knowlton.

From the county of Rush—Reuben D. Logan.

From the county of Washington—James A. Cravens.

From the county of Wayne—David P. Holloway.

On motion of Mr. Graham,
The Senate proceeded to the election of Principal Secretary,
Messrs. Buckles and Knowlton acting as tellers.
Upon the first balloting,

Frank Emerson received 42 votes.
Blank, 1 vote.

On motion of Mr. English,
Mr. Emerson was declared unanimously elected Principal Secretary of the Senate during the present General Assembly.

Mr. Emerson then appeared and was duly sworn by the Hon. Alexander C. Downey, President Judge of the Third Judicial Circuit, and entered upon the discharge of the duties of his office.

On motion of Mr. Hanna,
The Senate then proceeded to the election of Assistant Secretary.
Upon the first balloting,

Andrew J. Boone received	12 votes.
Thomas Marks "	6 "
Mr. Underwood "	3 "
C. S. Horton "	14 "
Mr. Morrison "	7 "
John P. Morrison "	1 "

Whole number of votes given, 43
Necessary to a choice, 22

No person having received a majority of all the votes given, the Senate proceeded to a second balloting, when

Andrew J. Boone received	14 votes.
Thomas Marks "	5 "
C. S. Horton "	20 "
Mr. Morrison "	3 "
Blank,	1 "

Whole number of votes given, 43
Necessary to a choice, 22

No person having received a majority of all the votes given, the Senate proceeded to a third balloting.

The name of Mr. Marks having been withdrawn, when

C. S. Horton received	24 votes.
Andrew J. Boone "	15 "
Mr. Underwood "	2 "
Mr. Morrison "	1 "
Thomas Marks "	1 "

Whole number of votes given, 43
Necessary to a choice, 22

Mr. C. S. Horton, having received a majority of all the votes given, was declared duly elected Assistant Secretary of the Senate

during the present General Assembly, and having been sworn into office by the Hon. A. C. Downey, President Judge of the Third Judicial Circuit, entered upon the discharge of the duties of his office.

On motion of Mr. Montgomery,

The Senate proceeded to the election of Door-keeper, Messrs. McCarty and Evans acting as tellers. When

Joseph A. Messick received	25 votes.
Lot Day "	16 "
George Newland "	1 "
James Woods "	1 "

Whole number of votes given,	43
Necessary to a choice,	22

Joseph A. Messick, having received a majority of all the votes given, was declared duly elected Door-keeper of the Senate during the present session, and having been duly sworn into office by the Hon. A. C. Downey, President Judge of the Third Judicial Circuit, entered upon the discharge of the duties of his office.

Mr. Hanna moved that the Senate proceed to the election of Sergeant-at-arms.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Cravens, Dawson, Eddy, Ellis, English, Graham, Hanna, Herod, Hunt, James, Kinnard, Logan, Mickle, Milliken, Niblack, Turman, Winstandley and Woods—20.

Those who voted in the negative were,

Messrs. Adams, Allen, Brugh, Buckles, Day, Defrees, Delevan, Dunn, Evans, Garver, Goodman, Hardin, Harvey, Henton, Holloway, Knowlton, Marshall, McCarty, Miller, Montgomery, Odell, Teegarden and Walker—23.

So the motion did not prevail.

Mr. Garver offered the following resolution:

Resolved, That the Secretary of the Senate inform the House of Representatives that the Senate have convened, and elected Frank Emerson principal Secretary, Caleb S. Horton, assistant Secretary, and Joseph A. Messick Door-keeper, and are now ready to proceed to legislative business.

Which resolution was adopted.

2 o'clock, P. M.

Senate met.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has convened, formed a quorum, elected Ebenezer Dumont Speaker, William R. Bowes Principal Clerk, Charles N. Shook Assistant Clerk, and Jephtha Garrigus Door-keeper, and are now ready to proceed to legislative business.

Also the following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the members of the Senate be respectfully requested to meet in the Hall, at two o'clock, P. M., and the Rev. E. R. Ames be invited to open the session by prayer.

Messrs. Edwards and Hosbrook are appointed a committee on the part of the House to invite Rev. Mr. Ames.

Which resolution was reciprocated, and Messrs. Hardin and Odell were appointed on the part of the Senate.

Mr. Hanna offered the following resolution:

Resolved, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House, to wait upon his Excellency the Governor, and inform him that both Houses of the General Assembly have met, organized, and are now ready to receive any communication which he may have to make.

Which resolution was adopted, and Messrs. Hanna and Montgomery were appointed said committee on the part of the Senate.

Mr. Cravens offered the following resolution:

Resolved, That the Senate adopt the Rules of the last session for its government during the present session.

Which resolution was adopted.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to invite the Senate to attend in the Hall of the House instanter, for the purpose of opening the session of the General Assembly by prayer, and that seats will be provided for the Senate on the right of the Speaker's chair.

Whereupon, the Senate repaired in a body to the Hall of the House of Representatives, and after the prayer of the Rev. Mr. Ames, the Senate returned to their Chamber.

The following Senators, whose offices had not been vacated since the last session of the General Assembly, appeared and took their seats:

From the counties of Fayette and Union—John S. Reid.

From the county of Franklin—George Berry.

From the county of Shelby—James M. Sleeth.

From the county of Harrison—William A. Porter.

Mr. Teegarden offered the following resolution:

Resolved, That the Door-keeper of the Senate be instructed to furnish each member of the Senate with a copy of the Revised Statutes of 1843; the local and general Laws, and Journal of the last session, from the State Library, and return the same at the close of the present session.

Which resolution was adopted.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following resolution:

Resolved, That the Rules and the Joint Rules of the last General Assembly, be adopted for the government of the present General Assembly, and that the Senate be informed of the adoption of this resolution, in which the concurrence of the Senate is respectfully requested.

Which was concurred in.

On motion,

The Senate adjourned.

Also, the following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House reciprocates the resolution of the Senate for the appointment of a committee of two for the purpose of waiting upon his Excellency the Governor, and have appointed Messrs. Ross and Pratt on the part of the House.

The following message was received from his Excellency the Governor:

EXECUTIVE DEPARTMENT,
December 31, 1850.

To the Senate of Indiana:

GENTLEMEN—William M. Noel, Esq., my Private Secretary, is authorized to make executive communications from the undersigned to your branch of the General Assembly during the present session.

JOSEPH A. WRIGHT.

Mr. Hanna, from the joint committee appointed to wait on his Excellency the Governor, submitted the following report:

MR. PRESIDENT:

The committee appointed to wait upon his Excellency the Governor, have performed that duty, and were informed by him that he would make a communication to the Senate and House of Representatives on to-morrow, at two o'clock, P. M.

On motion of Mr. Millikin,
The Senate adjourned.

TUESDAY MORNING, Dec. 31, 1850.

The Senate met.

The journal of the preceding day was read.

Ambrose D. Hamrick, from the county of Putnam, whose term of office had not expired since the last session of the General Assembly, appeared and took his seat.

Mr. Harvey asked and obtained leave to introduce the following bill:

No. 1. A bill for the relief of the borrowers of the school fund.
Which was read a first time and ordered to a second reading.

Mr. Graham asked and obtained leave to introduce the following bill:

No. 2. A bill to change the name of the Perry Cotton Mill.
Which was read a first time and ordered to a second reading.

Mr. McCarty asked and obtained leave to introduce the following bill:

No. 3. A bill to repeal section one of an act, approved January 19, 1850, entitled an act to amend an act entitled an act to incorporate the city of Indianapolis, approved May 27, 1850.

Which was read a first time and ordered to a second reading.

Mr. Holloway asked and obtained leave to introduce the following bill:

No. 4. A bill to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846.

Which was read a first time and ordered to a second reading.

Mr. Reid asked and obtained leave to introduce the following bill:

No. 5. A bill to amend an act incorporating the town of Liberty.
Which was read a first time and ordered to a second reading.

Mr. Holloway asked and obtained leave to present sundry petitions from the ladies and citizens of Richmond, on the subject of temperance.

Which,

On motion of Mr. Holloway,

Were referred to a select committee of one from each Congressional District.

Messrs. Holloway, Goodman, Marshall, Millikin, Herod, Alexander, Hamrick, Odell, Walker and Mickle.

Mr. Ried asked and obtained leave to introduce the following bill:

No. 6. A bill for the relief of Mary Clark, to convey real estate.
Which was read a first time and ordered to a second reading.

Mr. Graham asked and obtained leave to introduce the following bill:

No. 7. A bill to incorporate the Levee and Draining Company.
Which was read a first time and ordered to a second reading.

On motion of Mr. Graham,

The Senate adjourned until two o'clock, P. M.

2 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives instantler, to hear the message of his Excellency the Governor, and that seats be provided for them on the right of the Speaker's chair.

The Senate then proceeded to the House of Representatives, when the following communication was made to the two Houses by his Excellency the Governor:

Gentlemen of the Senate, and House of Representatives:

You have again assembled, according to the provisions of our Constitution, to deliberate upon the interests of our people. Connected with you, to some extent, by the Constitution, in your duties and labors, I promise you my hearty co-operation in all that is calculated to advance the welfare of our beloved State.

During the past year, the nation has been called to mourn the decease of its Chief Magistrate. Zachary Taylor was a brave and sturdy soldier—a true patriot. Death suddenly ended his eventful career, in the midst of the convulsions of Congress, consequent upon the agitation and settlement of subjects, the complexity and importance of which, are unparalleled in our history. His official mantle fell quietly upon another. The majesty of the Constitution and Laws, and the wisdom thereof, were sublimely manifested. They supplied the place which death had made vacant. The Executive functions of twenty millions of freemen, passed in a single day, into new hands; yet the change, great as it was, only served to chasten agitation, instead of adding to the public commotion. Emotions of general sorrow, in view of the national bereavement, were predominant; and the result exhibited alike the patriotic sympathies of the people; the strength and grandeur of our form of government, and its efficiency to meet every emergency and crisis which can arise.

During the last year we have enjoyed within our borders, the blessings of general health. In some parts of the State, we were visited with that terrible disease, the Cholera, which, in other portions of the country, has carried off thousands. Yet through the mercies of an overruling Providence, but few among us fell victims to the destroyer. With this exception, the past year has been one of health, happiness and general prosperity.

Nothing has transpired since your adjournment, to interrupt the regular action of all the departments of government. The laws have been faithfully administered, respected and obeyed.

I am gratified in being able to say, that the necessary means to

meet our January interest, has been promptly advanced by our fellow citizens, through the energy of our county collectors, without borrowing of the banks.

For the promptness with which our collectors have responded to the call of the State Treasurer, it is right that you authorize the Auditor and Treasurer to make them some compensation.

The financial condition of the State is still improving.

The ordinary expenses of the State Government, for the fiscal year ending the 31st day of October, 1850, were \$83,615 10.

The expenditures for the ensuing year, (exclusive of the expenses of the Convention,) are estimated, by the Auditor of State, at \$80,000.

The whole amount of revenue paid into the State Treasury, during the past year, on all accounts, was \$450,481 76, which exceeds the amount of the previous year, \$18,197 98.

The total value of taxable property, as returned for 1850, is \$137,443,565, which is an increase over the previous year of \$4,014,504.

The number of polls returned for 1850, is 149,986, being an increase over last year, of 6,266.

I concur fully with the Auditor of State, in most earnestly calling your attention to the subject of an improvement in the revenue system.

While the property of the man of moderate means, the farmer, the mechanic, and the day laborer, is, from its very character, exposed to the eye of the Assessor, and is such as to enable him to estimate its value with accuracy, it cannot be doubted that a large amount of invisible property, consisting of corporation stocks, moneys and credits, entirely escapes taxation.

The whole amount of corporation stock assessed in the State for the current year, is \$286,516; when, taking into consideration our numerous Plank Roads, Rail Roads, River improvements, Insurance companies, and Manufactories, it is safe to estimate the value of this description of property, at not less than three millions of dollars.

In many cases, the same property when assessed for municipal purposes, is returned at a much higher rate of valuation, than when listed by the county Assessor.

In New Albany, the city assessment exceeds the county assessment in the sum of \$300,000; in Madison, by the sum of \$565,407; and in Indianapolis, \$657,990; making a total excess, in these three cities alone, of more than one and a half millions of dollars.

Individual instances of erroneous assessment, are familiar to all. A case has been brought to the attention of the Executive, where the property of a citizen was valued by the county Assessor at the sum of \$75,525; and upon his death, the same property was valued, in the settlement of his estate, at \$256,917.

There is also a great inequality in the assessment of lands in contiguous counties; to rectify which, can only be accurately done by a State Board of equalization, or by Boards in the several Congressional districts.

The true remedy for this state of things, is, the adoption of a system to assess, at its cash value, every species of real and personal estate; such a one as in a single year, in our sister State, Ohio, increased the aggregate amount of the taxables of that State, from one hundred and fifty millions, to four hundred and ten millions of dollars. Let the Assessor furnish each tax-payer a blank form, to be filled up by himself, with an enumeration of his property, to be verified by oath or affirmation; and on refusal, authorize the Assessor to add to the valuation such per centum as may be deemed necessary. Under such a system, we shall not only equalize the burdens of the people of the State, but swell our total of taxables to at least two hundred millions of dollars, thereby enabling us to reduce the present rate of taxation. Property and wealth are the true bases of taxation, and the public burdens should rest upon them.

Owing to the construction of various works of Internal Improvement, and other causes, the value of real estate is constantly changing, and frequent assessments, under any system, will be necessary. The last valuation of real estate was made in 1846, and to secure an equalization of the burdens of the State, a re-appraisement is imperatively required.

As the Assessors have a right to commence making assessments the first of January, if it is designed to change the present system, it is suggested that steps be immediately taken to postpone such assessment until the first of March ensuing.

Through the politeness of Mr. Meredith, U. S. Marshal, I am this moment advised, though the returns are not complete, that our entire population is about 988,000, being an increase, since 1840, of upwards of three hundred thousand. The total valuation of Real Estate, farming implements, and live stock, exclusive of other personal property, as returned by the Marshal, is about two hundred millions of dollars, being sixty-three millions over the entire assessment for taxation. If to this were added other descriptions of personal property, our entire valuation could not be less than two hundred and fifty millions of dollars.

I know of no higher duty that a citizen owes to the institutions of his country, than that of being just, not only to his neighbors, but to the government that shields and protects him. No good man will refuse to pay for the support of his government. When he pays, he should pay in proportion to what he has—according to his wealth; and he will on no occasion refuse to declare or affirm what that wealth is.

I trust, before you return to your constituents, you will pass an efficient and practical system for the assessment and collection of your revenue, by which you will obtain the just proportion levied upon the entire wealth of the State.

There is no subject that our people take more interest in than that of the reduction and final payment of our State debt. They desire some practical system that will annually reduce their debt.

It will be time enough to provide a sinking fund when we have

some means to appropriate in that way; and when we shall have fully assessed and collected the revenue levied upon the entire wealth and property of the State, we shall have something to set apart for that purpose.

As it will, however, require time to perfect a system, it is proper that you enter upon the consideration of this subject. My own opinion is, that no intricate or perplexed plan of reducing our public debt can be beneficial. Simple taxation is the only remedy; and as near as can be, direct application of the money, when collected, to discharge the debt.

In the establishment of a board to manage the funds, your officers of State, with the aid of one commissioner elected by the people, would be entirely sufficient. The power given should be discretionary as to the investment of surplus funds, for obvious reasons.

The financial ability of the State may be seen in what we have accomplished in the last nine years, commencing with the suspension of our internal improvement system. In that period, with no other resource but taxation, we have liquidated, of our domestic debt, in principal and interest, the sum of \$2,529,156, and have paid of interest on our foreign debt, including the January interest, 1851, the sum of \$739,269; making a total of \$3,268,425, or over \$360,000 per year, in addition to the ordinary expenses of the State, a sum equivalent to one half our present State indebtedness.

By the year 1853, with the improvements proposed in our revenue system, the saving effected by biennial sessions of the Legislature, and the revenue to be derived from the Madison and Indianapolis Railroad, it is estimated that we shall be able within that year to appropriate the sum of \$100,000 to the payment of the principal of the foreign debt. A table has been prepared with great care, and is appended to this message, assuming the revenue of 1853 to be \$500,000, that the annual increase of revenue will be three per centum, that the sum of \$100,000 may be appropriated the first year for the payment of principal; and that this sum may be increased every year thereafter by the three per centum of increase, and the amount saved in the interest account. Under such an estimate,—and I believe it entirely practicable, the public debt will be liquidated in seventeen years from the first payment. To show still further the practicability of wiping out the debt of the State at an early day, a table has been prepared by the Auditor of State, on a different basis, for which you are referred to his report.

We are progressing rapidly with works of public improvement. In the past season, we have completed Four Hundred miles of Plank roads, which have cost from twelve to twenty-five hundred dollars per mile. There are some twelve hundred miles additional surveyed and in progress. We have two hundred and twelve miles of railroad in successful operation; of which, one hundred and twenty-four were completed the past year. There are more than one thousand miles of Railroad surveyed, and in a state of progress.

There is no evil to be apprehended from this expenditure of mon-

ey and labor upon Plank roads. They are built by our own labor and capital. The profits go to our own people, and consequently no surplus for the payment of interest on loans, goes out of the country.

So long as we confine our operations and expenditures upon Railroads and works of a similar character, to individual enterprise and capital, we have the surest guaranty that the investment will be made upon works of such a character as will pay liberally for the cost of their construction. While it is not the province of the Executive to dictate to his fellow citizens to what particular works private capital and enterprise should be directed, still it may not be improper to say, at this time, when the mind of the public is so strongly directed to railroad enterprises, that the danger to be apprehended, is, that works so entirely local in their character as to disappoint the expectations of the stockholders and the public, when constructed, will absorb the capital and energy of the country; and that the same might be appropriated to greater advantage in works of a more general character. And it is to be feared that there is too great a disposition to carry on these works by subscriptions of corporate cities and counties. From the evidence before me, there is now one million of dollars of corporate stock taken, in the State, in railroads, by cities and counties; and from the present excitement in different parts of the State, the amount will be largely increased the coming season.

Sound policy dictates that no municipal department, however wealthy, should become associated with private companies for any purpose whatever. The appropriation of the revenues of cities and counties to such purposes, is wholly foreign to the objects for which municipal corporations are organized, and for which the power of taxation is granted to them; and will lead to local embarrassments and difficulties similar to those in which the State became involved a few years ago.

If we shall hold a firm and steady hand; confine investments in our public improvements to individual capital and enterprise; show the capitalist at home and abroad, by our actions and words, that we are determined to keep faithfully all past engagements; that we regard State and county credit, not as mere empty sound and promise, but that which is real and substantial and worth preserving;—if we shall do this, Indiana will steadily move forward with increased energy; her resources will be developed at the proper and right time; and she will be enabled to present the greatest chain of improvements of any State in the Union. But if in this hour, the turning point in her second history of improvements, we overleap the proper bounds, and in the moment of excitement, when individual capital is marking the whole map of the State with railroad lines, we add millions of the corporate stocks of counties, cities and townships, through a laudable but mistaken zeal to advance this or that work, we shall repent for years to come that we had part or lot in the matter. We have had such a lesson on this subject, that

we should be justly chargeable with a lack of prudence if we again fall into a like difficulty, without having made some exertion to avoid such a disaster.

I recommend to your consideration, the propriety of making efficient provisions by law, for taking an annual statistical account of the Agricultural and other industrial products of the State, in their great material features. Hardly any subject of domestic policy can be more important, whether we regard its effect upon our internal policy, or upon the just weight and character of the State as a member of the confederacy. The attention of wise men has long been directed to this subject. Not only has one or more of our sister States taken some action; but the General Government is proposing to lend its aid in accomplishing the object. But while I approve the spirit which we must suppose actuates and influences the General Government, I doubt the expediency of relying solely upon its action. Why should we be continually looking to the Capital of the Nation for information as to our own wealth, resources and means? This is a subject of economy in its largest sense; involving the certain knowledge of our material interest and ability. Such knowledge is of the first importance to the successful prosecution of individual and subordinate business affairs; but it is of vastly greater consequence to the just regulation of the collective interest of the State. It should therefore be acquired by the State, under its own laws, and through its own officers.

Important as this measure undoubtedly is, it is easy to accomplish it, at trifling expense. A bureau of statistics can be engrafted upon the office of Secretary of State, or some other State office, and the proper blanks may be prepared by such bureau, and transmitted thence to the county assessors, or some other county officer, to be by them filled, as prescribed by law, and returned to the Central Office, to be compiled for the information of the General Assembly. Thus could be ascertained the number of acres of land under cultivation; the quantity of cereal grain, and other crops produced; the number of horses, cattle, hogs, sheep, &c.; the number of mills and manufacturing; the amount of capital and value of machinery employed therein; and the aggregate annual products, especially in breadstuffs; statistics of the more important branches of mechanical labor; of the extent and progress of railroads, plank roads, canals, &c.; with their cost and income per mile, together with any other items of great and essential value. In this way we may receive annual information on the subject of our schools, number of teachers, number of pupils in attendance, the number not in attendance, the amount of the pay of teachers, the kinds of books used at schools, the condition of the School Fund, and full details of the operation of your entire school system. Thus can be established a system of practical statistical information, relative to the resources and capital of the State, highly interesting in a moral and social aspect, and very important in its bearing upon our domestic policy, and upon the character and credit of the State generally. It would afford me

great pleasure if Indiana would lead off in the organization of such a system as a permanent part of our domestic policy.

The State University, and the other institutions of learning, are in a flourishing condition. More than twelve hundred young men have been in regular attendance at the different colleges of the State during the past year. It is gratifying to know that at every submission of the school question to the ballot box, there has been manifested by the people an increasing interest for the permanent establishment of an uniform system of common schools.

The history of the past speaks to us in strong language,—that where man's moral cultivation is neglected, there, life, liberty and property are unsafe. It is the obvious and plain duty of government to provide for the education of the whole people; and to secure general intelligence among men, they should begin to learn while they are children. It is therefore becoming in us, as representatives of the people, to concentrate all our efforts for the establishment of common schools in every neighborhood, for the improvement of every child in the school district, in which should be adopted a uniform system, for every class of our youth, while we leave the county institutions and colleges to individual or associate enterprise. By such a system it is believed the object will be best promoted. One thing is certain: If we pay not for the education of the boy, we shall surely pay double for the ignorance of the man.

Your attention is called to the many valuable suggestions contained in the reports of the Trustees and Superintendents of our benevolent institutions. Indiana according to her population, this day educates, free of all expense, a greater number of mutes by thirty-three per cent., than any other State in the Union.

It is gratifying to know, that of the entire number, who have been placed in the Insane Asylum within six months after the attack, ninety per cent. have been cured; and of those who enter the Institution within one year after becoming insane, eighty per cent. are restored to their friends clothed, and in their right mind.

The economy and prudence with which the Blind Asylum is managed, are worthy of all praise.

The policy adopted by Indiana, in admitting into her benevolent institutions, all classes and conditions of her unfortunate fellow beings, without regard to property, has been followed by other States in the West. Those that have not, are now making efforts to occupy the same ground.

These institutions are the monuments of Indiana's benevolence, and it is your duty, as no doubt it will be your pleasure, to sustain them by liberal appropriations. No part of the burdens imposed on our people is paid with more cheerfulness. It is, however, indispensable, that you provide suitable checks in the expenditure of the public money thus appropriated. It may be worthy of your examination, whether the adoption of some such provisions as follow, would not be beneficial:

1st. That the Superintendents and other officers should give bond,

with approved security, to cover any amount of public money that may come into their hands.

2d. That there should be adopted a uniform rule for the election of Trustees for all the institutions, and that no Board of Trustees should have the power to fill vacancies in their own body.

3d. That no Superintendent or officer of these institutions should hold the office of Trustee.

4th. That in the disbursement of funds to sustain these institutions, the money should be paid out upon warrants, drawn by the Auditor upon the Treasurer, to the person entitled to receive the same; following the rule, as far as practicable, by which payments are now made to the officers of State.

The propriety of insuring these valuable buildings is worthy of your consideration.

The cultivation and improvement of our soil is that upon which the other branches of business rely for support, and is the true source of all wealth. The system that adds to the stock of information in Agriculture will promote the welfare of the State, and deserves to be encouraged by the Legislative Department.

The establishment of a State Board of Agriculture, to consist, say, of nine members, for the express purpose of organizing a State Agricultural Society, would be calculated to bring into existence, in the several counties of the State, County Societies, that would be auxiliaries to the State association.

We are an agricultural people. Our climate, soil, and situation, make us so; and the adoption of a system that will bring our people together annually at some point in the State, where we can present the most valuable specimens of science and art, especially the useful inventions of labor-saving implements of husbandry; endorsing the character of the improvements; awarding premiums, either of money, diplomas or medals; exhibiting the stock, grains, and productions of our State, would no doubt create a spirit of emulation in our people, and be well adapted to further the interests of our growing State.

We are not aware of the amount annually expended by our people for stock, implements and productions of other States, that can be saved in a few years by the proper organization of such County and State Agricultural Societies.

To aid in this enterprise, it is suggested, that the tax collected upon travelling circuses, menageries, and public shows, in this State, be paid to the County Treasurers, thence into the State Treasury, to be set apart expressly as a fund at the disposal of the State Board of Agriculture, to pay premiums at the annual fairs.

It is believed that you can safely appropriate one thousand dollars to this purpose in anticipation of the receipts from this source the coming year.

I mention with pleasure, on this occasion, the fact that a few of the enterprising citizens of Indiana are preparing to attend the great industrial exhibition of all nations, at London, in May next, and to

carry with them specimens of their skill and labor, and samples of the productions of our soil. The propriety of expressing, in some proper manner, your approbation of such an enterprise is worthy of your consideration.

Your attention is again earnestly invited to the importance of providing for a thorough geological and topographical survey of the State. The interests of agriculture, manufactures and commerce, alike demand it. That Indiana is rich in mineral wealth is a fact that each succeeding year more and more demonstrates. We have vast beds of coal and iron, and recent developments indicate that we have many of the more precious metals. When we shall send out men of high scientific attainments to explore our hills and our prairies, to analyse our ores and our soils, and lay bare the now concealed riches of our mines, we shall have taken the first and most important step in that great race of industrial progress which will place Indiana in her true attitude. Her position on the map of this great valley is commanding; and if, under a kind Providence, we escape the perils that threaten to separate us from the great sisterhood of States, whose interests are so blended by geological, geographical and commercial affinities, the next ten years will place her, as an agricultural and a manufacturing State, by the side of Pennsylvania.

Our policy is to rely upon our own resources rather than upon any aid from the General Government. While we do this, our interests are undisturbed by the shocks and struggles of political parties. Our strength and our independence lie in our great agricultural and manufacturing resources. We want more knowledge—we want a map which not only defines our boundaries—our area—our corporate subdivisions, and the course of our rivers;—but we want a map which will tell us the depth of our coal seams—the best localities for our iron furnaces—the extent and value of our marble and stone quarries—the worth of our exhaustless quantities of timber, and the true character of our soils. We are now groping in comparative darkness; and while other States, by the aid of science, are unfolding new and hitherto unknown elements of wealth, we are trusting these interests to chance and individual enterprise.

I submit to you, whether, if we regard the measure in the light of mere revenue alone, it is not worthy of your deliberate and favorable consideration. And while looking at the cost of the work, you will not fail to see, that in a few years it would bring such an increase of population and capital as would reduce the general burthens of the people four-fold the amount of the expenditure. I shall lay before you a printed circular letter addressed to me on this subject, and signed by a very large number of the most intelligent and enterprising citizens of the State. The views expressed in this letter will attract your attention, and, I doubt not, command your favor.

Some of the evils of local legislation have developed themselves in the practical effects of the Act giving exclusive jurisdiction of

certain criminal offences defined by the general laws of the State, to justices of the peace, in several of the counties. Among these offences is that of assault and battery. Under the act concerning crimes and punishment, in the Revised Code, an assault and battery may be punished by a fine not exceeding one thousand dollars, and imprisonment for any term of time not exceeding six months. By the Act conferring exclusive jurisdiction on justices of the peace, in the counties alluded to, no fine can be imposed higher than twenty-five dollars; and thus in those counties, an assault and battery, no matter how aggravated, cannot be punished by a fine exceeding that amount. Another bad effect of this Act is, that upon the trial of an indictment in a Circuit Court for an assault and battery with intent to commit a felony, if the intent to commit a felony is not, in the opinion of the jury, proved, the Court has no jurisdiction to inflict a punishment for the simple assault and battery. But when the case is dismissed for that cause and comes to be re-tried before a justice of the peace, the justice may think the intent to commit a felony sufficiently proved, and in that case, he, also, would be divested of jurisdiction. Thus in bandying the case to and fro, the offender may escape punishment altogether, and that, too, when his offence is of the most aggravated character. This subject requires your immediate attention.

The subject of a small appropriation annually to the State Library, sufficient to pay for one or more of the newspapers published in each of the counties of this State, to be regularly filed and bound, is worthy of your attention. In this way, we shall, for an inconsiderable sum, obtain a history of our State, that will be of great advantage in after times. You will then have in detail the general and local policy of counties, in connection with the opinions of men; the history of individuals and families; addresses; notices of all kinds; marriages, deaths, &c., besides important local statistics not easily obtained from other sources. How highly would we prize full files of papers, which have been published in our State since the year 1804—since 1820? They would be more sought after than any work found in the State Library. By this means, you would preserve the religious, moral and political history of our State, from year to year; and although you would have a vast variety, much, of but little value; yet, it is from this alone, in after times, that our history is to be written. To this, the historian must go, to do justice to the men and the age of which he writes.

The work on the Wabash and Erie Canal, under the judicious management of the Trustees, has been prosecuted steadily towards completion, according to their plan as submitted in their first report to the General Assembly. By the contracts which they have made, the canal will be finished to Evansville within the time, after making just allowance as provided for in the act, for the delays which have been occasioned by Providential causes not within the control of the Trustees.

Beginning the work at Coal Creek, where the State left it, they have finished and brought into use seventy-ninemiles from that place, to Point Commerce.

The Newberry and Maysville division, extending from Point Commerce to Maysville, forty-nine miles, is nearly finished; and but for the interruptions occasioned by cholera among the laborers on the line during the last two seasons, would have been finished in time for the navigation of next spring.

By the report of the Trustees, it appears that one hundred and fifty of the laborers on the line died of cholera during the last summer.

The entire balance of the line from Maysville to Evansville is under contract, and the work in progress, to be completed by the first day of November, 1852.

The length of the line now under work from Point Commerce to Evansville, is one hundred and eleven and a half miles; upon which there has been employed, during the past season, an efficient force of near two thousand men.

It is gratifying to find from the reports of the Trustees, that notwithstanding the great advance in the price of labor which has taken place since they commenced the work, the actual cost of the completion will not materially exceed the estimates which were made in 1845, prior to the transfer.

The cost, according to contract prices, from Coal Creek to Evansville,—one hundred and ninety and a half miles, (exclusive of damages for the right of way,) will not vary much from \$2,012,000. The actual sum cannot be known, until the contracts are closed and the work paid for.

The certain and speedy completion of this canal, the longest in the United States, through the territory of Indiana to the Ohio river;—a work which has ever been regarded with such interest by our citizens, and the partial completion of which has already conferred such direct benefits upon so large a portion of those living along and near to it, and upon the whole State in the addition which it has been the means of making to its population and taxable property;—is a subject of sincere congratulation. And when we consider that this result has been attained by the agency of the holders of our bonds, and by means advanced by them at a time of great embarrassment, it would seem to add to the obligation resting upon us, if any thing can add to the sacredness of State faith and State honor, an additional reason for maintaining with scrupulous fidelity the arrangements with them, and throwing around them every possible security,—as their only reliance for protection and indemnity rest upon it.

The revenues of the finished portion of the canal show a gratifying increase in its traffic and usefulness.

The tolls received for the year ending November 1, 1850, are reported at \$157,158 38; being an increase of \$22,499 35 over the tolls of the previous year.

The Trustees report the sale of 25,468 22-100 acres of land in the Vincennes district; and 33,986 22-100 acres in the Logansport office, during the year; exhibiting an increasing demand of canal lands for settlement.

It cannot be expected that a work of the magnitude of this, involving so many interests, can be prosecuted and completed without causes of complaint on the part of some of our citizens. These complaints are made to the Executive department, frequently accompanied with the request that suits be brought.

It is suggested that you adopt some rules to be observed in all applications for relief by suits. The views of my predecessor on this subject, are worthy of your careful consideration.

On the twenty-eighth day of September, 1850, Congress passed a law granting to each State, for a specified purpose, the swamp or overflowed lands within their several borders, then belonging to the General Government. On receipt of the law, a correspondence was opened with the General Land Office at Washington. A reply was communicated to me on the 28th day of October; and on the 30th day of the same month, a circular was issued to each of the County Surveyors throughout the State. Additional instructions having been received on the 29th day of November; they were embodied in another circular, and on the succeeding day were also issued as above. Under these instructions and circulars, the surveyors are at this time engaged in making the necessary examination of the tracts of land that we shall be entitled to under this law. A portion of them have discharged their duties, and made their reports; but it is probable that the entire work will not be completed before March or April, 1851. From the best information I have received, the State will obtain, under this act, about One Million acres of land, for the purposes named therein. It will be your province, at the present session, to provide by law for the compensation of the surveyors and others engaged in selecting these lands, and to take such steps as will preserve them from waste, until such time as the patents shall be made to the State, and the Legislature shall have determined the manner in which they shall be disposed of. I have not sufficiently matured any system for bringing these lands into market, or otherwise disposing of them. This, with other matters relating thereto, may be made the subject of a special communication. It would accord with my views, after the objects for which these lands were granted are accomplished, if the proceeds and residue were set apart to aid the Sinking Fund for the redemption of the State debt.

By the determination of the Commissioner of the General Land Office, the sales, by the several Land Offices, of the swamp and overflowed lands thus granted to us, will not be stopped or interfered with, until they are ascertained and marked off as "State Lands" upon their office plats. But that if any such lands shall have been, or shall hereafter be, sold by such Land officers, the money received therefor shall be held for, and be paid to the State. I have already

received information of some such sales; and as there will doubtless be more, I suggest that you provide by law, the method of applying for and receiving the money arising therefrom.

The State is under many obligations to Hons. R. W. Thompson and John H. Bradley, for services rendered at Washington City in the adoption of the rules for the selection of these lands.

We were visited in the State Prison, the past season, with the cholera. Twenty-six of the convicts died. The Warden, Col. Lemuel Ford, and his wife, fell victims to the disease. He was at his post of duty, actively engaged, day and night, in administering to the comforts and wants of the sick and dying. He was a useful man, eminently qualified to discharge the duties of his office. His place will be difficult to fill.

I am gratified in being able to say that the prison was in an excellent condition; entirely cleansed; and the physician and all others connected with the prison, nobly did their duty during the prevalence of this disease.

By the kindness of Miss Dix, that devoted friend of prisoners, prison discipline, and suffering humanity, I had selected and purchased at the East, for the use of the prisoners, two hundred volumes of Religious, Historical, Agricultural and Biographical works, which cost the sum of one hundred and thirty-eight dollars and eighty-eight cents, which are kept neatly in a book case; let out to the convicts regularly, who are charged with them; and when returned, another is taken in its place. It is with pleasure I learn that a large portion of the convicts read with interest this excellent selection.

Wisdom and humanity demand that an appropriation of Fifty Dollars be made annually for the purpose of keeping up the Library. It is right and proper that men thus confined should be furnished with books, that they may employ their time in reading when not engaged in labor; I doubt not that the above expenditure, although unauthorized by law, will be approved by this enlightened body.

The greater part of the work on the new buildings has been completed, and we can now dispense with the duties of the Commissioner to superintend the Public Buildings, so far, at least, as to give the same in charge to the Warden, who resides inside of the walls, and who should be able to superintend all the improvements we have to make. By pursuing this course, we shall save four hundred dollars a year, and be able to pay your Warden one thousand dollars a year for his services in discharging the duties that have heretofore been in the hands of the two.

There is some doubt under the present law, how the Physician to the prison should be selected. My own opinion is, that he should be appointed by the State, and be independent of the lessee. I therefore recommend that you provide for his appointment in the future.

Your attention is called to the very able report made by the Visiter to the prison.

The highest number in the prison during the past year was one hundred and fifty-four. Of this number, sixteen have been pardoned;—three of them on account of insanity; five for good conduct, (the pardons being granted within a few weeks of the expiration of their sentences,) and the remaining eight were pardoned upon the application of the Courts, Juries, and citizens, who were presumed to be well acquainted with each case recommended to the Executive.

There is no duty devolving upon your Executive that is more embarrassing, and surrounded with greater difficulties than the pardoning power. With whatever care he may watch and guard its exercise, he is liable to great impositions. In view of my brief experience on this subject, I have adopted the following rules to be observed as far as practicable in all applications.

They are presented in this communication with the view of submitting them to you, and through you to our fellow citizens, believing, that they may be worthy of being made the subject of Legislation, at least of an advisory character.

1st. That in all applications for a pardon, notice should be given of the time when the same would be made.

2d. That those who represent the State upon the trial, should furnish at least the substance of the evidence.

By adopting this course, the Executive will be relieved from deciding applications on *ex parte* petitions, letters, &c., and will have before him the evidence on the trial. This course has been pursued in the State of New York, and the Executive, after one year's experience, speaks in the highest terms of the wisdom of the law.

It is respectfully suggested that power be given in the trial of cases of larceny, to imprison in the County Jails or State Prison at the discretion of the Jury, without regard to the value of property; or, at least, increase the limit prescribed by law for the division between grand and petit larceny. Intimately connected with this change in our criminal law, is the improvement in the regulations of our county prisons. By a very slight change in many counties, we may have the prisoners engaged in useful occupation. Each county should be prepared with buildings for the reception of juvenile offenders, so constructed and furnished as to provide for the regular occupation of all the inmates. It is idle to talk of reforming the young man, who, for his first offence, has been convicted for stealing property of the value of five dollars, and sentenced to two years' imprisonment in the State Prison, thus placing him by the side of the murderer. We must place the young and juvenile offender where his associations and intercourse are with those who will exercise an influence for good, and not with the old and hardened in crime. Our county prisons should be converted into workshops—into houses of industry—wearing the appearance of decency and order. Active employment should be required of all its occupants; for idleness itself often proves to be the school of vice. In this way

we may not only reform the prisoners, but we should compel them to contribute to their own support, and to pay, by *the sweat of the brow*, the penalty of the violated law, and cost of conviction, thus directly relieving the counties from a heavy burden which they now pay to sustain those imprisoned. The convict can as well be made to perform labor for his own support in your counties as in your State Prison. The individual convicted for the first offence; the youth; the juvenile offender; or where the circumstances of the case seem to require at the hands of the jury of the county, that the imprisonment should be in the county jail;—your prisoner thus situated will find, daily or weekly, kind parental advice, and the watchful care of those who take an interest in his welfare; and our prisons will become what they should be,—places not only for punishment but for reformation.

The State has an interest in what is called the *Georgia Lands*, situated in the counties of Laurens, Montgomery, Telfair and Pulaski, in the State of Georgia; about three hundred thousand acres; which cost the State in an arrangement with one of the Banks east, in settling an outstanding debt due us, the sum of Two Hundred and Forty Thousand Dollars. They lie principally upon the waters of the Ocmulgee and Altamaha.

By virtue of a joint resolution passed on the 16th day of February, 1849, a contract was made with my immediate predecessor, by which a sale of these lands, without notice, was made to Martin R. Green, and a conveyance executed, for the sum of one thousand dollars. It is to be regretted that any sale was made of such a large body of lands by the Agent of the State, without reserving the right to the Legislature to confirm or reject the same. It is difficult to determine what is the value of these lands; but from information received the past season, I have reason to believe that a large portion are worth from fifty cents to one dollar per acre.

Your officers of State, in view of the quantity of land and their cost, from the evidence before us, not necessary to be here mentioned, desiring to preserve them from passing into the hands of innocent purchasers, from Mr. Green, without notice, after mature examination, were induced to offer the interest of the State in these lands, for sale. Due notice has been given, and several propositions have been made, some in the way of inquiring as to the title; others as to the value. No sale can be effected so long as the outstanding contract and deed remain as they are. It would require more space than is allotted for this communication, to give the full history of this transaction, and the evidence upon which your Executive acted in offering these lands again for sale; all of which, will, with pleasure, be communicated to your body, or to any committee to whom the subject may be referred.

It is alike due to Mr. Green—to all concerned—that you should thoroughly investigate this subject. You should, upon that investigation, either confirm said sale, and direct the surrendering of all

the title papers, or you should authorize a suit to be brought to set aside the conveyance. I have no hesitation in recommending the bringing of the suit, believing that the State had better receive nothing than to take the one thousand dollars.

The widow and Executrix of the late Edward J. Black, of Georgia, has presented a claim for a thousand dollars against the State, by virtue of a contract made by your Agent of State and her deceased husband, relative to these lands, which requires your investigation.

On the 13th day of October, 1849, arbitrators appointed by my predecessor by virtue of a special act of the Legislature, entitled "An act for the relief of Patrick McGinley," passed February 11, 1848, made an award in favor of said McGinley, against the State of Indiana, for the sum of \$21,143 00; which said award, together with the papers in the cause, as well as the proceedings, were filed in the Clerk's office of the Floyd Circuit Court. On the 13th day of November, 1849, two warrants were drawn by the Auditor of State upon the Treasurer,—one for the sum of \$11,000 dollars; the other for \$5,000,—both payable on the 1st day of March, 1850; which warrants were drawn upon the duly authenticated copy of said award, from the Clerk of said court; the papers on file in said office showing that said McGinley agreed to release the sum of \$5,143 00, that portion of said award over the sum of \$16,000 00, upon the condition that no appeal was taken in the cause, and which sum of \$5,143 00 so released, was to be appropriated to the payment of costs, expenses, &c.

On the 5th day of December, 1849, my duties as Executive commenced. The 6th day of February, 1850, being on a visit to the State Prison at Jeffersonville, I called on the Clerk of the Floyd Circuit Court, and requested him to furnish me the papers in the case of McGinley. For the first time, I became acquainted with the fact, that at the time of the rendition of the award, Mr. Bullett, the attorney for the State, and the only person that was authorized by the act aforesaid to appear for the State, had prayed an appeal to the Supreme Court in the cause, and that the same was granted. A copy of the record in the cause was obtained, and legal gentlemen consulted, who made an affidavit of the facts of the case, giving the dates, &c. Upon the application to the Supreme Court, they directed the clerk to docket the cause as an appeal. The cause is now pending in the Supreme Court. The warrants are yet outstanding and unpaid. They are unknown to our law, and issued contrary to the uniform practice, being payable at a future time, thus giving notice to all of their character.

The course adopted in this cause, has been with the concurrent action of your officers of State; and I sincerely hope, that if the highest judicial tribunal in the State; the one that decides the rights of our citizens, has not jurisdiction of this cause, so as to decide the same upon its merits, that you will adopt such measures as will give

that Court ample power. If the Supreme Court of the State shall decide that this claim of McGinley is correct and just, we should pay not only the sixteen thousand dollars, but the last dollar, with interest, that is adjudged to him. If it should be the pleasure of your body to pay these outstanding warrants, you will remember that no payments can be made, unless the tax is levied and the money collected. We have solemnly pledged four-fifths of our State revenue to pay our interest; and the remaining one-fifth is set apart to pay the ordinary expenses of the State. This being an extraordinary demand upon the Treasury, it can be met only by increased taxes, or by virtue of a loan.

From information received from our Senators at Washington, we shall not receive any portion of the three per cent. fund due us, until some action of Congress is had upon the subject.

Your attention is called to the report of the Quarter Master General; particularly, as to the propriety of providing a building for the safe keeping of the public arms.

The report of the Agent of State, exhibits the wisdom of the act of the Legislature at its last session, in the great reduction of expenditures in that department. The suggestions contained in the report are worthy of your consideration.

A citation has been served upon me in the suit of the Vincennes University against the State of Indiana, on a writ of error to the Supreme Court of the United States, from the Supreme Court of this State. It devolves upon you to provide in what manner the rights of the State shall be represented in this cause.

In pursuance of the discretionary power given to the Auditor of State and myself, settlements and compromises have been made with the lessees upon the Central Canal, by which about \$4,400 will be realized; the repairs and incidental expenses the past year, have been about \$1,250. A suit that was brought, is yet pending in the Supreme Court.

Due notice was given and a sale effected of that portion of the canal lying north of Morgan county. The sale was made to George G. Shoup, John S. Newman and James Rariden, for the sum of \$2,425. That portion of the Canal lying in Morgan county was sold to Aaron Alldredge for the sum of six hundred dollars. These sales are subject to be confirmed or rejected by you. I have no doubt that it is to the interest of the State to confirm the sales, and recommend that you take that course. The sooner the State is entirely disconnected from all public works, the better.

The Convention elected by the people to form a new Constitution for the State is still in session, and will probably not close their labors for some weeks.

The appropriation for the payment of the Convention is already exhausted. It will devolve upon you to make further appropriations for this object.

As the amount collected by the tax levied the past year will not

be sufficient to pay the additional expenses of the Convention, I suggest that you anticipate the revenue of the coming year, (the same rate of taxation being continued;) by a loan for this purpose, as also for the payment of the July interest on our public debt. I have no doubt but that the succeeding January interest will be promptly met by the people through their collectors.

It is your duty at this session to apportion the State into Senatorial and Representative districts. Public opinion seems to demand a reduction of the number in both houses. As to the character of our legislation, quite as much may depend upon the capacity of legislators, as upon their number. Able men will devote themselves to the public service for two reasons chiefly; honor and compensation. Taking into view the condition of our State, the character of our people, and the vast interests which they have at stake in the establishment of a correct system of domestic policy, it would seem that there is too great a difference between the honors and emoluments of the State and National governments. The public business may undoubtedly be disposed of with more system and order, and every interest of the State may be fairly represented and properly protected, by a House of Representatives of seventy-five, and a Senate of thirty members; provided their election shall be made under a system liberal enough to secure to the State the services of her best and ablest citizens.

The subject of the colonization of the free blacks is now beginning to receive that attention which its importance demands. The circumstances which surround us, are pressing our people to look into this subject in the right light, and in a proper spirit.

Our southern brethren are making rapid movements towards abridging the privileges of this class, even to banishment. We in the north are adopting extraordinary means for removing them, by prohibiting them from holding property, excluding them from the protection of the laws, and denying them any rights whatever.

While all this is going on, our better nature, the common sympathies of all men, are beginning to ask these important questions: *What is to be the end of all this? Is there no remedy? Is there no cure for this evil?*

In the midst of all this excitement and confusion, the light breaks in upon us, which points conclusively to colonization as the only remedy. The infant colony of Liberia, recognized as one among the nations of the earth, begins now to attract the renewed attention of all men, who desire to see an entire separation of the two races. In this great struggle for the separation of the black man from the white, let Indiana take her stand; put her agent into the field. Her citizens are ready. Yea, they are willing to contribute of their surplus, something for the removal of this people from among us and to locate them in the native land of their forefathers. Other States in this Union have their own settlements in Liberia. Let Indiana have hers. Let us sustain the movement made by Mr.

Bryant of Alabama, for the employment of government vessels, to found an Empire in Africa. Let the National, as well as the State governments, strike at this hour for a permanent and effectual remedy for the agitations and excitement of the day, on this difficult question.

In pursuance of a Joint Resolution of the last session of the Legislature, a block of marble, native of the State, was procured and forwarded to Washington, to be placed in the monument now in progress of erection there, to the memory of the father of his country.

The General Assembly did not authorize any sentiment to be placed on the block. I took the liberty of having inscribed the following:

"Indiana knows no North, no South, nothing but the Union."

I did so, because I believed, as I still believe, that the sentiment thus engraved on enduring marble, was written also on the hearts of our people, that it was the sentiment of the great mass of my fellow-citizens of Indiana, on the most agitating question of the day.

Complete unanimity is rarely the incident of human councils. In a Confederacy like ours, differing as its members do, in soil, climate and productions; in habits, manners and social relations; in local and sectional interests, it could not be expected now, any more than at the birth of our Federal Constitution, that any compromise, based upon mutual concessions, should be satisfactory to all.

It is not a practical question whether those measures of peace, recently framed by great and good men, in the same spirit which actuated our fathers in days gone by, are, in every respect, such as meet our unqualified approval. It has been well said, that the lives of the best of us are spent in choosing between evils; and it is often a bounden duty to endure a temporary and incidental evil for a permanent and inherent good. A domestic institution, forced upon our forefathers in colonial days, rather than voluntarily adopted by them, is, for the present, the necessary policy of our Southern brethren. Any sudden abandonment of that policy, is impossible. Even its gradual relinquishment is beset with difficulty, and embarrassment. The patriots of the revolution, convened to frame a government that has endured for three quarters of a century, has spread over half a hemisphere, the blessings of peace, of political and religious freedom, and of national prosperity;—assented to the great principle that each State of the Union is sovereign, as to her internal government, and her social relations. Without this recognition, absolute and unconditional, the thirteen original States would never have concurred in the federal compact. That was the great conservative element which bound hearts though it could not reconcile opinions. Without that element the Union would not have been created then. Without it, the Union cannot be preserved now.

Indiana, a central State, has always maintained a high, conservative position, especially on that exciting question of the day, which

has threatened, more seriously than any other, the integrity of our confederacy of States. She is, indeed, convinced, that she has wisely selected her own domestic policy. She is satisfied with the degree of prosperity, which under that free policy, she has attained. Our State was the nineteenth admitted into the Union. In wealth in agricultural and commercial importance she is now the fifth, if indeed she be not the fourth. Of the eighteen States which composed the Union when we were admitted, four, at most, are now in our advance: and not one of those since admitted has come within sight of us. Maintaining her position ahead of all her younger sisters, Indiana has walked quietly in advance of fourteen of the older States. In our onward progress we have uniformly acted toward each, equal to equal. Our compacts with the Great confederacy to which we belong and every member of it, have been faithfully kept in letter and in spirit. Neither by legislative act nor otherwise have we withheld from any citizen of the Union the rights which, under the federal compact, are assured to him. To this day no cause of complaint has been given; nor, so far as I know, has complaint been made, against Indiana, by any State in the Union.

Above all, Indiana recognizes the imperative duty, by every good citizen, of obedience to the laws of the land.

Whatever difference of opinion may exist as to the late compromise measures enacted by Congress, however ultra men in the North or in the South may oppose or denounce them, there is but one course of action for the true patriot to pursue; and that is, unhesitatingly and in good faith to carry out their enactments.

There is no safety for property, for liberty, nor for life, except in the absolute supremacy of the law. There is no higher duty of the citizen than to maintain, by word and deed, that supremacy. As we value the heritage, rich beyond all price, purchased not with silver or gold, but with the life's blood of the good and brave—that heritage bequeathed to us by our fathers, and which we, in turn, must bequeath inviolate to our descendants—let us bear in mind, this great truth that the first public act of disobedience to law, is the first fatal step on the downward road to anarchy.

The Constitution of this great Confederacy, written on parchment, may be rent asunder, if it be not written also on the hearts and affections of the people. It is written on ours. We love, we respect it, we give it our highest sanction, alike for the sake of the sacred principles, guardian of human liberty, embodied in its provisions, for the unnumbered blessings we have enjoyed under its rule; and in memory also of that band of great and good men, who conceived and established it. This truth should be understood by our people, that this Union cannot be preserved by force. If it could, it would not be worth preserving. The bonds and ligaments that bind us together, are moral and not physical. Our glorious Union is one of consent and not of force. It is a Union of confidence, of

trust, of love, and of affection. When these are gone, the Union loses all its attraction and value.

At no hour of our history have we required, more than at the present, an infusion into our councils of that spirit in which the articles of our confederacy were first conceived. As Representatives, as citizens of Indiana, as citizens of the United States, we have difficult, delicate, important duties to perform. Foremost among these is the obligation to oppose, by every lawful means, that spirit of factious fanaticism alike suicidal wherever it has birth, which insidiously assumes the garb, in one section, of philanthropy, in another, of State rights. By speech, by action, by concession, by forbearance, by compromise, by the influence of moral suasion and the strong power of kindness, by each and all of these means, let us seek to allay the spirit of lawless misrule, that spirit which installs each man's opinion the arbiter of constitutional rights, or which coolly estimates the value of this Union, and looks with steady eye on a separation of these States, the certain herald of bloodshed and a thousand horrors, a separation to be surely and speedily followed by war, in its most odious form, servile, perhaps, as well as civil,—war among those of the same race, the same name, the same blood,—war that shall bring together in hostile array, neighbor against neighbor, brother against brother, son against sire.

To avert calamities so direful, Indiana will cast, even to the last, the entire weight of her influence. She will be just to each and every member of the confederacy—just to the Constitution—just to the laws. She will abide by that Constitution—abide by the laws; and above all, she will abide by the compromises made by our fathers—the compromises made by the great and good men of this day. She will hope, she will pray, that the same kind and overruling Providence which watched over our Fathers at the adoption of the Constitution, and has sustained in every crisis and cheered in every hour of darkness since, will direct their sons also in the paths of wisdom and of peace, and enable us to transmit to posterity that sacred instrument, a guide and a blessing in the Future, as it has ever been in the Past.

Indiana takes her stand in the ranks, not of *Southern destiny*, nor yet of *NORTHERN DESTINY*. She plants herself on the basis of the Constitution; and takes her stand in the ranks of *AMERICAN DESTINY*.

JOSEPH A. WRIGHT.

December 31, 1850.

TABULAR ESTIMATE—SEE PAGE 14.

Year.	State Revenue—annual increase 3 per cent.	Amount paid on principal.	Amount of principal liquidated.
1853	500,000 00	100,000 00	100,000 00
1854	515,000 00	120,000 00	220,000 00
1855	530,450 00	141,450 00	361,450 00
1856	546,363 50	164,436 00	525,886 00
1857	562,754 40	189,048 70	714,934 70
1858	579,637 03	215,383 76	930,318 46
1859	597,026 14	243,542 06	1,173,860 52
1860	614,936 92	273,629 94	1,447,490 46
1861	633,385 02	305,759 54	1,753,250 00
1862	652,386 57	340,049 07	2,093,299 07
1863	671,958 16	376,623 11	2,469,922 18
1864	692,116 90	415,613 00	2,885,535 18
1865	712,880 40	457,157 15	3,342,692 33
1866	734,266 81	501,401 42	3,844,093 75
1867	756,294 81	548,499 49	4,392,593 24
1868	778,983 65	598,613 31	4,991,206 55
1869	802,353 15	651,903 47	5,643,110 02
1870	856,423 74	708,579 24	6,351,689 26
1871	851,216 45	768,800 61	7,120,490 17

The Senate then returned to their Chamber,

When the following message was received from his Excellency the Governor, by Mr. Wm. M. Noel, his Private Secretary:

MR. PRESIDENT:

I am directed by his Excellency the Governor, to communicate to the Senate the accompanying bill, No. 212, which originated in that body, and which was passed at the last session of the General Assembly, together with his message in relation to the same.

Which bill, together with the Governor's message accompanying, in relation thereto, were,

On motion,

Laid upon the table.

On motion of Mr. Buckles,

The Senate adjourned.

WEDNESDAY MORNING, January 1, 1851.

The Senate met.

The Journal of the proceeding day was read.

The President laid before the Senate communications from the Cashiers of the Branches of the State Bank, at Evansville, South Bend, Vincennes, New Albany and Bedford.

Which were laid upon the table.

Mr. Knowlton offered the following resolution:

Resolved, That the reporters for Newspapers be admitted to seats within the bar of the Senate, for the purpose of reporting its proceedings.

Which resolution was adopted.

On motion by Mr. Reid,

The message of his Excellency, the Governor, accompanying Senate Bill 212 of last session was taken up and read, and

On motion by Mr. Montgomery,

Was laid upon the table.

Mr. Miller offered the following resolution:

Resolved, That one hundred and fifty copies of the rules and joint rules, be printed for the use of the Senate.

Which resolution was adopted.

Mr. Reid offered the following resolution:

Resolved, That one thousand copies of the Governor's Message be printed in English, and five hundred in the German language.

Which resolution was adopted.

Mr. Montgomery offered the following resolution:

Resolved, That the Secretary of the Senate be authorized and requested to contract with the publishers of the Daily Journal, Tri-Weekly Sentinel and Locomotive for three copies of their respective papers, (to be enveloped and delivered to the Senate) at their usual prices, for the use of the Senate, provided that the publishers of said papers will agree to report and publish regularly the proceedings of the Legislature, with an abstract of the debates thereof.

Mr. Cravens moved to amend by striking out "Locomotive."

Which was adopted.

Mr. Eddy offered the following amendment:

Strike out "three copies," and insert "one," also amend, by directing the Door-keeper to contract for one copy of each newspaper published in this city, that will give a full report of the proceedings of this General Assembly.

Which amendment was not adopted.

Mr. Buckles moved to amend by inserting "Indiana Statesman."

Which motion prevailed.

Mr. Garver offered the following amendment:

Amend by inserting in the proper place, "and one copy of the Indiana Volks Blatt."

Mr. Milliken offered the following amendment to the amendment:

Strike out the word "one" and insert the word "three."

Which was adopted.

Whereupon the amendment as amended was adopted.

Mr. Buckles moved to reconsider the vote on striking out the word "Locomotive."

Which motion did not prevail.

The resolution as amended was then adopted.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Bill of the House:

No. 2. A Bill to change the time of holding courts in the eighth Judicial Circuit.

In which the concurrence of the Senate is respectfully requested.

Which was taken up, and

The Bill read a first time, and passed to a second reading.

Mr. Adams moved to reconsider the vote on the resolution in reference to taking Newspapers.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Allen, Athon, Berry, Dawson, Eddy, English, Goodman, Hanna, Hardin, Harvey, Henton, Herod, James, Kinnard, Logan, Marshall, McCarty, Mickie, Miller, Odell, Porter, Reid, Sleeth, Walker, Winstandley and Wood—27.

Those who voted in the negative are,

Messrs. Alexander, Brugh, Buckles, Day, Defrees, Delevan, Dunn,

Ellis, Evans, Garver, Hamrick, Holloway, Knowlton, Milliken, Montgomery and Niblack—16.

So the vote was reconsidered.

Mr. Mickie moved to strike out the word "three" and insert "two."

The ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Allen, Berry, Buckles, Dawson, Delevan, Eddy, English, Evans, Garver, Goodman, Hamrick, Hanna, Hardin, Henton, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickie, Montgomery, Odell, Sleeth, Walker, Winstandley and Wood—28.

Those who voted in the negative are,

Messrs. Adams, Alexander, Athon, Brugh, Cravens, Day, Defrees, Dunn, Ellis, Graham, Harvey, Herod, Miller, Milliken, Niblack, Porter and Reid—17.

So the motion prevailed.

Mr. Dawson offered the following amendment:

Strike out "at the usual price," and insert "at the lowest club rates."

Which amendment was adopted.

Mr. Niblack moved to refer the resolution together with the amendments in reference to taking newspapers to a select committee of five.

Which motion did not prevail.

Mr. Hamrick moved to reconsider the vote taken on striking out the "usual price," and inserting "at the lowest club rates."

Which motion prevailed.

On motion by Mr. Harvey,

The amendment on "striking out and inserting" was laid upon the table.

The resolution as amended was adopted.

The President laid before the Senate the following communication from the President of the Board of Trustees of the Wabash and Erie Canal, together with his annual report.

INDIANAPOLIS, 31st Dec., 1850.

HON. JAMES H. LANE,

President of the Senate:

SIR—I have the honor herewith to hand you the annual report of the Board of Trustees of the Wabash and Erie Canal, to be laid before the Senate.

Respectfully your ob't servant,

CHARLES BUTLER,

President of the Board.

Which report was,
 On motion,
 Laid on the table, and one thousand copies ordered to be printed.
 The following message was received from the House of Representatives by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed to the election of a United States Senator on the 8th instant, at 10 o'clock in the forenoon, and that the Senate be informed of the adoption of this resolution.

Which was taken up and read, and
 On motion by Mr. Buckles,
 Laid on the table.
 The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring, go into the election of a Judge of the Marion Court of Common Pleas, on Saturday next, at 2 o'clock, P. M., the 4th inst.

Which was taken up; and
 Mr. Evans moved to concur in the resolution with the following amendment:

Amend by adding "and President Judge of the sixth Judicial Circuit immediately thereafter."

Which was not adopted.
 The resolution of the House was then concurred in.
 The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, go into the election of a Trustee of the Wabash and Erie Canal on Friday the 10th inst., at 2 o'clock, P. M.

Which was taken up and read, and
 On motion,
 Laid upon the table.
 Mr. Dawson presented sundry petitions from the ladies of De Kalb county on the subject of temperance.
 Which were,
 On motion,
 Laid upon the table.
 Mr. Buckles offered the following resolution:

Resolved, That the Senate will, the House of Representatives concurring, go into the election of President Judge of the sixth Judicial Circuit on Friday next, at 2 o'clock, P. M.

Which,
 On motion of Mr. Reid,
 Was laid upon the table.
 The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed to the election of a Judge for the third Judicial Circuit on Friday next, at 10 o'clock, A. M.

Which was taken up and concurred in by the Senate.
 Mr. Hamrick offered the following resolution:

Resolved, That when the Senate adjourns it will adjourn to meet to-morrow morning at nine o'clock.

Which was adopted.
 Mr. Athon offered the following resolution:

Resolved, That the Senate will, the House concurring, go into the election of Warden for the State Prison on Thursday next at two o'clock.

Which was adopted.
 Mr. Garver introduced
 No. 8. A Bill to amend an Act entitled an Act to incorporate the town of Noblesville, approved January 19, 1850.
 Which was read a first time and ordered to a second reading.

Mr. Garver introduced,
No. 9. A Bill to authorize the Probate Judge of Hamilton county to appoint an administrator for the estate of John S. Massey.
Which was read a first time and ordered to a second reading.

On motion by Mr. Harvey,
Bill No. 1, of the Senate was taken up.
No. 1. A Bill for the relief of borrowers of the School Fund.
Which was read a second time.

Mr. Hardin moved to lay the bill on the table.

Which motion did not prevail.

Mr. Reid moved to refer the bill to a select committee.

Which was so ordered.

Messrs. Reid, Harvey and Marshall were appointed said committee.

On motion by Mr. Eddy,

The Senate adjourned.

THURSDAY MORNING, Jan. 2, 1851.

The Senate met.

The Journal of the preceding day was read.

Mt. Montgomery moved to correct the Journal of Tuesday the 31st ultimo, by striking out so much thereof as embraces the communication from the Governor, returning to the Senate, Senate Bill of the last session, entitled No. 212, "An Act for the relief of certain persons therein named in Warren county," and the accompanying message in relation to said Bill.

Mr. Ellis moved to amend by inserting it in the Journal of Wednesday.

Mr. Montgomery called for a division of the question.

The question being on striking out,

The ayes and noes were demanded by two Senators, and they were ordered.

Those who voted in the affirmative are,

Messrs Adams, Alexander, Allen, Buckles, Cravens, Day, Defrees, Delevan, Dunn, Ellis, English, Hamrick, Herod, Holloway, Knowlton, Marshall, McCarty, Montgomery, Odell, Teegarden, Turman, Winstandley and Wood—23.

Those who voted in the negative are,

Messrs. Athon, Berry, Brugh, Dawson, Eddy, Evans, Garver,

Goodman, Graham, Hanna, Hardin, Harvey, Henton, James, Kinard, Logan, Mickle, Miller, Milliken, Niblack, Porter, Reid, Sleeth and Walker—24.

So the motion did not prevail.

Mr. Turman, the Senator from Fountain, announced the death of his predecessor, Hon. Robert W. Lyon, also the death of Hon. Andrew M. Carnahan, late Representative from Fountain county, and submitted the following remarks:

MR. PRESIDENT:

Parliamentary usage devolves upon me the duty of communicating to you, and to the Senate, the melancholy intelligence that death has recently seized upon one of your members.

Hon. ROBERT W. LYON, late Senator from Fountain county, after an illness of several weeks, of Typhoid Fever, in the dispensation of Providence, was taken hence on the 11th day of December, A. D. 1850. He died at his residence in Covington, Fountain county, Ind., surrounded by his family and friends.

With all those endearing ties around him, that usually bind men with tenacity to earth, he was willing to sever them temporarily, for the prospect of reaching early repose in Heaven. A Christian's hope sustained him in the "trying hour," and induced him to court death as a relief from disease and worldly cares.

Mr. Lyon was born in Kentucky, and reared in Fountain and Warren counties in Indiana. He was educated at the Asbury University, afterwards studied Law, and, when admitted to the bar, practiced in Covington during the remainder of his earthly career.

Mr. Lyon had lived but 28 years when death overtook him; but in that short life-time he had secured the love of the community of which he was the ornament, eminence at the bar, with an extensive practice, and the confidence of his fellow-citizens, as manifested by them in seating him in your midst.

Of the Senatorial career of Mr. Lyon, many here can speak more advisedly than I; but from the numerous inquiries I hear concerning his early fate, I feel assured that, during his brief service in this body, he secured much of the confidence of his fellow Senators.

Peace to his ashes!

But here, Mr. President, my melancholy tale is but half told. Death has not only deprived the people of Fountain county of their late Senator, but has deprived them of that estimable young gentleman whom they elected to serve them in yonder branch of the Legislature of last winter.

Hon. ANDREW M. CARNAHAN, rest to his soul! than whom a nobler man ne'er trod upon God's footstool—after serving with distinguished ability in the House of Representatives last winter, returned to his constituents in impaired health, and on the 23d day of February, A. D. 1850, calmly breathed his last while sorrowing friends smoothed his dying pillow.

Mr. Carnahan was raised in Fountain county; graduated with honor at Wabash College; studied and for a short time practiced Law in this city; for a number of winters served as a reporter of legislative proceeding for the city papers; and, after a brief sojourn in Covington, was elected by the voters of Fountain county (although the political strength of the county was more than four hundred against him) to a seat in the Indiana Legislature.

A quarter of a century terminated his brilliant career. No man had more friends, and none so few enemies in the community where he died, as Andrew M. Carnahan!

In view of these bereavements, Mr. President, I would respectfully submit to the Senate the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the demise of Hon. Robert W. Lyon, late State Senator from Fountain county; also with like sensibility the announcement of the demise of the Hon. Andrew M. Carnahan, Representative for Fountain county, to the Legislature of last session.

Resolved, That the Senate tender to the surviving widow and relatives of each of the deceased, expressions of sympathy in their afflicting bereavement, and as a testimony of respect for the memory of said deceased, that the members and officers of the Senate will wear crape on the left arm for thirty days.

Which were unanimously adopted.

Mr. Montgomery submitted the following resolution:

Resolved, That the Secretary of the Senate be authorized and requested to place the remarks of the Senator from Fountain in relation to the death of Messrs. Lyon and Carnahan on the Journal of the Senate.

Which was adopted.

The President laid before the Senate the following communications from the Editors of Indianapolis, in reply to a resolution of the Senate, in reference to taking their several Newspapers:

INDIANAPOLIS, Jan. 2, 1851.

F. EMERSON, Esq.,

DEAR SIR:—I received your letter inclosing resolution of the Senate in relation to subscribing for newspapers. In reply I agree to furnish two copies of the Daily State Journal during the present session of the Legislature for one dollar per copy, referred to in the resolution, and agree to publish proceedings and an abstract of debates.

Yours, &c.,

JOHN D. DEFREES.

INDIANAPOLIS, January 2d, 1851.

Secretary of the Senate:

DEAR SIR—The undersigned, publishers of the the Indiana Statesman, intend publishing, during the session of the Legislature, as full a report of the proceedings of that body, embracing all matters of general interest, as our columns will permit. The price of the Statesman, during the session, will be fifty cents per copy.

Very Respectfully, &c.,

ELLIS & SPANN.

STATE SENTINEL OFFICE,
INDIANAPOLIS, January 2d, 1851. }

FRANK EMERSON, Esq.,

Secretary of the Senate:

SIR—In answer to your communication of yesterday, I have to state that the Tri-Weekly State Sentinel will be furnished the Senate at the rate of one dollar per copy during the session. The proposition to subscribe for two copies for each member of the Senate, as embodied in the resolution adopted on yesterday, is accepted.

Very Respectfully,

Your obedient servant,

AUSTIN H. BROWN,
Publisher State Sentinel.

INDIANAPOLIS, January 2d, 1851.

HON. FRANK EMERSON,

Secretary of the Senate:

In reply to your note, I will say that I will furnish in the Volks Blatt a summary of the proceedings and debates of the Senate, as far as the limits of the paper will permit.

Respectfully,

JULIUS BOETTISCHER.

Mr. Niblack offered the following resolution:

Resolved, That the Senate will, to-day at 2 o'clock, P. M., proceed to the election of a Sergeant-at-Arms to serve during the present session.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Brugh, Eddy, Ellis, English, Goodman, Graham, James, Logan, Mickle, Miller, Milliken, Niblack, Turman, Walker, and Winstandley—16.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Dunn, Evans, Garver, Hardin, Harvey, Henton, Herod, Holloway, Kinnard, Knowlton, Marshall, McCarty, Odell, Porter, Reid, Sleeth, Teegarden, and Woods—27.

So the resolution was not adopted.

Mr. Woods offered the following resolution:

Resolved, That the Principal and Assistant Secretaries of the Senate be authorized to employ such assistance as may be necessary in the discharge of the duties of their respective offices.

Which was adopted.

Mr. Herod introduced the following bill:

No. 10. A bill authorizing Reason W. Prather to drain certain lowlands therein mentioned;

Which was read a first time and passed to a second reading.

Mr. Evans introduced the following bill:

No. 11. A bill to authorize the extension of the Newcastle and Richmond Railroad;

Which was read a first time and passed to a second reading.

Mr. Dunn introduced the following bill:

No. 12. A bill for the benefit of the New Albany and Salem Railroad Company;

Which was read a first time, the rules suspended, and the bill read a second time.

Mr. Reid moved to lay the bill on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Dawson, Day, Delevan, Garver, Goodman, Hardin, Kinnard, Logan, Mickle, Miller, Odell, Reid, Sleeth, and Turman—16.

Those who voted in the negative were,

Messrs. Adams, Alexander, Brugh, Buckles, Cravens, Defrees, Dunn, Eddy, Ellis, English, Evans, Graham, Hamrick, Hanna, Harvey, Henton, Herod, Holloway, James, Knowlton, Marshall, McCarty, Milliken, Montgomery, Niblack, Porter, Teegarden, Walker, and Winstandley—29.

So the bill was not laid upon the table.

Mr. Dunn moved to suspend the rules and read the bill a third time now.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Brugh, Cravens, Defrees, Dunn, Ellis, English, Hamrick, Harvey, Herod, Holloway, James, Marshall, McCarty, Montgomery, Niblack, Porter, Teegarden, Walker, and Winstandley—22.

Those who voted in the negative were,

Messrs. Athon, Buckles, Dawson, Day, Delevan, Eddy, Evans, Garver, Goodman, Graham, Hanna, Hardin, Henton, Kinnard, Knowlton, Logan, Mickle, Miller, Milliken, Reid, Sleeth, and Turman—22.

So the rules were not suspended.

Mr. Milliken presented sundry petitions on the subject of temperance;

Which,

On motion of Mr. Milliken,

Were referred to the select committee on that subject.

Mr. Athon offered the following resolution:

Resolved, That the Senate will, the House concurring, go into the election of Librarian on Saturday next at 3 o'clock, P. M.

Which was adopted.

Mr. Winstandley presented the petition of J. B. Anderson and others, for a charter for Ayers University;

Which,

On motion by Mr. Winstandley,

Was referred to a select committee, consisting of Messrs. Winstandley, Cravens, and Athon.

Mr. Herod presented the petition of W. B. Horn;

Which,

On motion by Mr. Herod,

Was referred to a select committee, consisting of Messrs. Herod, Marshall, and Woods.

Mr. Reid made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill No. 1, of the Senate, being an act to extend the benefit of a certain law to the borrowers of the common school fund, have had the same under advisement, and direct me to report it back to the Senate with the following amendments, and upon their adoption, to recommend its passage:

Amend by adding to the first section the following:

Provided, That in all cases where personal security has been given to secure such loan, the consent of such security to the extension of the time of payment shall be endorsed on the obligation and signed by him or them, or a new obligation with sufficient security shall be given, as in cases of original loans.

Amend by adding the following to the second section:

And shall be published in the Indiana State Sentinel and Indiana State Journal.

Which report was concurred in and the amendment adopted, the bill read a second time;

On motion,

The rules suspended, the bill read a third time and passed.

Mr. Milliken offered the following resolution:

Resolved, That a committee of one from each judicial circuit be appointed, whose duty it shall be, at an early day, to report a plan to district the State into Senatorial and Representative Districts.

Which resolution was adopted.

The President announced the following as the order of business to be observed by the Senate during the present session, unless changed by the Senate:

I. Reading of the Journals.

II. Petitions, Memorials, and Remonstrances.

III. Reports from Standing Committees, as follows:

1st. On Elections.

2d. On Finance.

3d. On Judiciary.

4th. On Federal Relations.

5th. On Education.

6th. On Military Affairs.

7th. On Roads.

8th. On Canals and Internal Improvements.

9th. On the Affairs of the town of Indianapolis.

10th. On Claims.

11th. On the State Prison.

12th. On the State Library.

13th. On Public Buildings.

14th. On the State Bank.

15th. On Manufactures.

16th. On the Canal Fund.

17th. On Agriculture.

18th. On Corporations.

19th. On Unfinished business.

20th. On the Benevolent Institutions of the State.

IV. Reports from Select Committees.

V. Resolutions of the Senate.

VI. Joint Resolutions.

VII. Bills.

VIII. Orders of the Day.

The committees on enrolled and engrossed bills and joint committees are not restricted by the preceding rules, but may report at any time.

The President also laid before the Senate his appointment of the following standing committees of the Senate during the present session, to-wit:

STANDING COMMITTEES.

ON ELECTIONS.

Messrs. Reid, Teegarden, James, Kinnard, Day, Allen, Knowlton, Delevan, and Goodman.

ON FINANCE.

Messrs. Garver, Marshall, English, Dunn, Cravens, Alexander, Dole, Niblack, and Defrees.

ON THE JUDICIARY.

Messrs. Buckles, Herod, Reid, Marshall, Sleeth, Dunn, Hanna, Harvey, and Logan.

ON FEDERAL RELATIONS.

Messrs. Hanna, Berry, Dunn, Reid, Graham, Porter, Montgomery, Marshall, and Mickle.

ON EDUCATION.

Messrs. Hardin, Mickle, Holloway, Woods, Harvey, Dawson, Reid, Buckles, and Turman.

ON MILITARY AFFAIRS.

Messrs. Adams, Graham, Alexander, Knowlton, Kinnard, Odell, Henton, Defrees, and Montgomery.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Ellis, Niblack, Marshall, English, Logan, Knowlton, Reid, Holloway, Herod, Hunt, Delevan, Hanna, Hamrick, Montgomery, Teegarden, Walker, Brugh, Mickle, Turman, and Dunn.

ON ROADS.

Messrs. Porter, Dole, Morgan, James, Miller, Goodman, Defrees, Walker, and Winstandley.

ON THE AFFAIRS OF THE TOWN OF INDIANAPOLIS.

Messrs. McCarty, Sleeth, Harvey, Garver, Morgan, Kinnard, Allen, Knowlton, and Henton.

ON CLAIMS.

Messrs. English, Niblack, Athon, Marshall, Logan, Dunn, Holloway, Mickle, and Defrees.

ON STATE PRISON.

Messrs. Athon, Brugh, Odell, Evans, Teegarden, Knowlton, Dole, Goodman, and Henton.

ON UNFINISHED BUSINESS.

Messrs. Harvey, Kinnard, Eddy, Walker, Knowlton, and James.

ON STATE LIBRARY.

Messrs. Holloway, Herod, Walker, Porter, and Hunt.

ON PUBLIC BUILDINGS.

Messrs. Evans, McCarty, Brugh, Odell, Adams, Logan, Hamrick, Hunt, and Dole.

ON STATE BANK.

Messrs. Dawson, Marshall, Berry, Dunn, James, Cravens, Alexander, Defrees, and Milliken.

ON MANUFACTURES.

Messrs. Montgomery, Hamrick, Garver, Turman, and Day.

ON AGRICULTURE.

Messrs. Milliken, Woods, Odell, Evans, Defrees, Henton, Delevan, Day, and Holloway.

ON CORPORATIONS.

Messrs. Eddy, Winstandley, Ellis, Niblack, Morgan, Milliken, McCarty, Graham, and Cravens.

ON BENEVOLENT INSTITUTIONS OF THE STATE.

Messrs. Sleeth, Evans, Woods, Herod, Day, Teegarden, English, and Athon.

ON ENROLLED BILLS

Messrs. Teegarden, Hunt, and Delevan.

ON ENGROSSED BILLS.

Messrs. Herod, Brugh, and Turman.

JOINT COMMITTEES.

ON PUBLIC BUILDINGS.

Messrs. Hamrick, Allen, Walker, Teegarden, Dole, Miller, and Delevan.

ON CANAL FUND.

Messrs. Winstandley, Porter, and Alexander.

ON STATE LIBRARY.

Messrs. Woods, Mickle, and Hanna.

On motion by Mr. Hanna,

Two hundred and fifty copies were ordered to be printed.

The President laid before the Senate the following communication from the State Librarian, accompanied by his annual report:

STATE LIBRARY, }
INDIANAPOLIS, Jan. 2, 1851. }

HON. JAMES H. LANE,

President of the Senate:

SIR—Requesting that you will lay the accompanying report before the honorable body over which you preside,

I am very respectfully

Your obedient servant,

JOHN B. DILLON.

On motion by Mr. Mickle,

The report was laid on the table and two hundred copies ordered to be printed.

The President laid before the Senate the following communication from the Cashier of the Branch of the State Bank at Indianapolis:

BRANCH BANK, }
INDIANAPOLIS, Dec. 31, 1850. }

HON. J. H. LANE,

President of the Senate:

Please lay before the Senate the enclosed statement of the condition of this Bank as exhibited on our books on the 16th ultimo.

Respectfully yours,

THOS. H. SHARPE,
Cashier.

On motion,

The report was referred to the committee on the State Bank.

On motion by Mr. Ellis,

The reports heretofore received upon the same subject were taken from the table and referred to the same committee.

On motion by Mr. Mickle,

The Senate adjourned.

2 o'clock, P. M.

Senate met.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

No. 1. A bill to enable Thomas G. Alvord to file his bill in the Laporte Circuit Court.

Also,

No. 4. A bill to authorize the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their re-payment by mortgaging the property of said company.

To which the concurrence of the Senate is respectfully requested.

On motion,

Bill No. 1, contained in the message, was taken up, read a first time, and

On motion,

The rules were suspended, the bill read a second time; the rules being further suspended, the bill read a third time and passed.

Bill No. 4, contained in the message, was read a first time,

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time and referred to a select committee consisting of

Messrs. Holloway, Hamrick, and Hanna.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate to go into the election of State Librarian on Saturday next at 3 o'clock, P. M.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

No. 10. A bill to authorize the appointment of a guardian of the person and estate of the person therein named, and for other purposes,

In which the concurrence of the Senate is respectfully requested.

Bill No. 10, contained in the message, was taken up, read a first time,

On motion,

The rules were suspended, the bill read a second time, and the rules being further suspended, the bill was read a third time and passed.

The President laid before the Senate the report of the Superintendent of the State Prison;

Which,

On motion by Mr. Winstandley,

Was referred to the committee on State Prison.

ORDERS OF THE DAY.

Senate Bills.

No. 2. A bill to change the name of Perry Cotton Mill was read a second time, and

On motion by Mr. Graham,

Was referred to the committee on Corporations.

No. 3. A bill to repeal section 1, of an act approved January 19, 1850, entitled, "an act to amend an act entitled, an act to incorporate the city of Indianapolis," approved May 27, 1850,

Was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 4. A bill to amend an act entitled, "an act to incorporate the Richmond and Miami Railroad Company," approved January 19, 1846,

Was read a second time, and

On motion by Mr. Harvey,

Referred to the committee on Corporations.

No. 5. A bill to amend an act incorporating the town of Liberty,

Was read a second time, and

On motion by Mr. Reid,

Referred to the committee on Corporations.

No. 6. For the relief of Mary Clark to convey real estate;

Was read a second time, and

On motion,

Referred to the Judiciary committee.

No. 7. A bill to incorporate the Levee and Draining Company;

Which was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 8. An act to amend an act entitled, "an act to incorporate the town of Noblesville," approved January 19, 1850;

Which was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 9. A bill to authorize the Probate Judge of Hamilton county to appoint an administrator of the estate of John S. Massey;

Which was read a second time, and

On motion,

Referred to the Judiciary committee.

House Bills.

No. 2. A bill to change the time of holding courts in the eighth judicial circuit,

Was read a second time.

Mr. Henton offered the following amendment:

Strike out the word "Miami" from the second line of the second section, and insert in the fourth line of said section, before the word "Wabash," the words "Miami and;" also, strike out the word "county," in the said fourth line of said section and insert the word "counties" in lieu thereof;

Which amendment was adopted.

On motion,

The rules were suspended, the bill read a third time and passed.

On motion by Mr. Dawson,

The petition of 117 ladies of De Kalb county, on the subject of temperance, was taken from the table and referred to the committee on that subject.

Mr. Reid introduced the following bill:

No. 13. A bill to amend section 456 and 457, of chapter 30, article 17, of the Revised Statutes of 1843,

Was read a first time, and

On motion by Mr. Reid,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

Mr. Woods introduced the following bill:

No. 14. A bill to abolish the office of auditor in the county of Ohio:

Was read a first time, and

On motion by Mr. Woods,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Miller introduced the following bill:

No. 15. A bill for the relief of Joseph Allen, of Crawford county;

Was read a first time, and

On motion by Mr. Buckles,

The rules were suspended, the bill read a second time and referred to the committee on Finance.

Mr. Holloway introduced the following bill:

No. 16. A bill to amend an act entitled, "an act to incorporate the Richmond and Williamsburg Turnpike Company," approved January 16, 1849;

Was read a first time, and

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

Mr. Miller offered the following resolution:

Resolved, That the Auditor of State be requested to lay before the Senate a copy of the report of the Commissioner of the New Albany and Vincennes road as soon as convenient.

Which was adopted.

Mr. Dawson moved that the Senate adjourn;

Which was decided in the negative.

Mr. Herod offered the following resolution:

Resolved, That the committee on the Judiciary be requested to examine and report whether, by existing laws, the black male inhabitants of the State are liable to pay poll tax and work two days for personal privileges.

Which was adopted.

On motion by Mr. Garver,

The Senate adjourned.

FRIDAY MORNING, Jan. 3, 1851.

The Senate met.

On motion by Mr. Cravens,
Senator English was called to the chair.

The Journal of the preceding day was read.

PETITIONS PRESENTED.

By Mr. Reid;

A petition from the ladies of the town of Liberty, on the subject of temperance;

Which was read, and

On motion by Mr. Reid,

Referred to the committee on Corporations.

By Mr. Knowlton;

A petition for the relief of Amasa Hazen;

Which was read, and

On motion by Mr. Knowlton,

Referred to the Judiciary committee.

By Mr. Mickle;

A petition of citizens of Adams county praying for a law to allow a German school;

Which was read, and

On motion by Mr. Mickle,

Referred to a select committee consisting of Messrs. Mickle, Dawson, and Eddy.

By Mr. Mickle;

A petition of citizens of Adams county, praying for a State road;

Which was read, and

On motion by Mr. Mickle,

Referred to a select committee consisting of
Messrs. Mickle, Dawson, and Eddy.

By Mr. Garver;

A petition of E. Vanbuskirk and others, for a plank road.

Which was read, and

On motion by Mr. Garver,

Referred to a select committee consisting of
Messrs. Garver, Montgomery, and Kinnard.

By Mr. Goodman;

A petition of sundry citizens of Dubois county praying for a State
road;

Which was read, and

On motion by Mr. Goodman,

Referred to the committee on Roads.

By Mr. Dawson;

The petition of sundry citizens of Dekalb county upon tem-
perance;

Was read, and

On motion by Mr. Dawson,

Referred to the select committee on that subject.

By Mr. Berry;

The petition of James L. Snow and others, on the subject of
license to vend liquor, merchandize, &c.;

Was read, and

On motion by Mr. Berry,

Referred to the committee on Finance.

Mr. Day moved to reconsider the vote taken on yesterday, in
reference to striking out of the journal of the 31st of December so
much as relates to the Governor's Veto Message.

Which motion did not prevail.

Mr. Holloway made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred bill of the House No.
4, entitled, "A bill to authorize the Terre Haute and Richmond Rail-
road Company to issue bonds for the sole purpose of borrowing
money to complete said road, and to secure their re-payment by
mortgaging the property of said Company," have had the same
under consideration, and instructed me to report the same back to
the Senate and recommend its passage.

Mr. Reid moved to refer the bill to the committee on Corporations
with instructions to insert the following amendment:

Provided, however, That no bond, bonds, promissory notes, or
stock of said company shall be sold or negotiated by said company
at a discount exceeding ten per cent.; nor shall said company

borrow money at, or allow and pay a greater rate of interest than
ten per cent. per annum, for the purpose of constructing said road.

Mr. Harvey moved to lay the amendment upon the table,

Which motion prevailed.

The question being on referring the bill to the committee on Cor-
porations,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Athon, Dawson, Logan, Reid, and Turman—5.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Berry, Brugh, Cravens, Day,
Defries, Dunn, Eddy, Ellis, English, Evans, Garver, Goodman,
Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Holloway, Hunt,
James, Kinnard, Knowlton, Marshall, McCarty, Mickle, Miller,
Milliken, Montgomery, Niblack, Odell, Porter, Sleeth, Teegarden,
Walker, Winstandley, and Woods—40.

The bill was not so referred.

On motion by Mr. Harvey,

The rules were suspended, the bill read a third time and passed.

RESOLUTIONS INTRODUCED.

By Mr. Milliken:

Resolved, That the Judiciary committee be instructed to inquire
into the expediency of amending the criminal law so as to make the
granting of change of venue discretionary with the court.

Which was adopted.

By Mr. Mickle:

Resolved, That so much of the Governor's Message as refers to a
geological survey, be referred to a committee of one from each judicial
circuit.

Which was adopted.

By Mr. Winstandley:

Resolved, That the committee on Education be instructed to
inquire into the expediency of so amending the school law that the
Township Treasurer may make semi-annual instead of annual
dividends to the school districts.

Which was adopted.

BILLS INTRODUCED.

By Mr. Reid;

No. 17. A bill for the relief and protection of stockholders in railroad, plank road, and turnpike road companies;

Was read a first time, and

On motion by Mr. Reid,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to attend in the hall of the House of Representatives instantler, to proceed to the election of a President Judge of the Third Judicial Circuit of the State of Indiana, and that seats be provided for their accommodation on the right of the Speaker's chair.

Which,

On motion by Mr. Ellis,

Was reciprocated, and

Messrs. Ellis and Winstandley were appointed tellers on the part of the Senate.

The Senate then repaired to the hall of the House of Representatives to proceed to the election of President Judge of the Third Judicial Circuit.

The Joint Convention of the two Houses of the General Assembly of the State of Indiana then proceeded to ballot for a President Judge of the Third Judicial Circuit:

Messrs. Ellis and Winstandley acting as tellers on the part of the Senate, and

Messrs. Humphreys and Clark on the part of the House of Representatives.

When, on counting the first ballot, it appeared that

Alexander C. Downey received	-	-	-	-	138 votes
Blank	-	-	-	-	6 "

Alexander C. Downey having received a majority of all the votes

given, was declared duly elected President Judge of the Third Judicial Circuit for the unexpired term of Hon. Courtland Cushing. The President of the Convention then pronounced the same adjourned *sine die*.

The Senate then returned to their chamber,

When the following bills were introduced:

By Mr. Sleeth;

No. 18. A bill to amend an act entitled, "an act to incorporate the Rushville and Muncietown Railroad Company;"

Was read a first time, and passed to a second reading.

By Mr. Defrees;

No. 19. A bill to amend an act entitled, "an act to increase and extend the benefits of common schools;"

Was read a first time and passed to a second reading.

By Mr. Reid;

No. 20. A bill to amend sections 25 and 26, of chapter 31, article 3, of the Revised Statutes of 1843;

Was read a first time, and

On motion by Mr. Reid,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Reid,

Was referred to the Judiciary committee.

By Mr. Woods;

No. 21. A bill to amend an act entitled, "an act to incorporate the town of Patriot, in Switzerland county, and to legalize the action of the collector of said town;"

Was read a first time and passed to a second reading.

ORDERS OF THE DAY.

Senate Bills.

No. 12. A bill for the benefit of the New Albany and Salem Railroad Company,

Was read a third time:

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Day, Defrees, Delevan, Dunn, Eddy, Ellis, English, Evans, Garver, Goodman, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Miller, Milliken, Montgomery, Niblack, Odell, Porter, Reid, Sleeth, Walker, Winstandley, and Woods—40.

Those who voted in the negative were,

Messrs. Buckles, Dawson, Mickle, and Teegarden—4.

So the bill passed.

No. 10. A bill authorizing Reason W. Prather to drain certain lowlands therein mentioned;

Was read a second time, and

On motion by Mr. Herod,

The rules were suspended, the bill read a third time and passed.

No. 11. A bill to authorize the extension of the Newcastle and Richmond railroad;

Which was read a second time, and

On motion by Mr. Buckles,

Referred to the committee on Corporations.

On motion by Mr. Harvey,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

On motion by Mr. Harvey,

Senator English was called to the chair.

The President laid before the Senate the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE, }
INDIANAPOLIS, Jan. 3, 1851.

HON. JAS. H. LANE,

President of the Senate:

Sir—Please lay before the Senate the annual report from this office, and oblige,

Very Respectfully,

Your obedient servant,

E. W. H. ELLIS,

Auditor of State.

On motion by Mr. Sleeth,

The report was laid upon the table, and 1,000 copies ordered to be printed.

The President laid before the Senate the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE, }
INDIANAPOLIS, Jan. 3, 1851.

To the President of the Senate:

Sir—In compliance with a resolution of the Senate, I herewith transmit the report of Joel Vandever, Esq., Superintendent of the New Albany and Vincennes road, to be laid before that body.

I am, very Respectfully, &c.,

E. W. H. ELLIS,

Auditor of State.

On motion by Mr. Cravens,

The report was laid upon the table, and 150 copies ordered to be printed.

The President laid before the Senate the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE, }
INDIANAPOLIS, Jan. 2, 1851.

HON. JAS. H. LANE,

President of the Senate:

Sir—Please lay before the Senate the enclosed abstract of the enumeration of 1850, and oblige,

Very Respectfully, &c.,

E. W. H. ELLIS,

Auditor of State.

On motion by Mr. Mickle,

The abstract of the enumeration was laid upon the table, and 500 copies ordered to be printed.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 3. An act for the relief of John Henry Lewis Gerke, and Frederick Myers.
Also,

No. 16. An act to legalize the election of Samuel Geisinger to the office of Treasurer of Elkhart county.

Also,

No. 19. An act to change the name of Melissa Jane Gillespie to that of Melissa Jane Blair.

In which the concurrence of the Senate is respectfully requested.

No. 3. Bill of the House, contained in the message, was taken up, read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the Judiciary committee.

No. 16. A bill of the House, contained in the message, was taken up, read a first time, and

On motion by Mr. Defrees,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Defrees,

The rules were suspended, the bill read a third time and passed.

No. 19. A bill of the House, contained in the message, was taken up, read a first time, and

On motion by Mr. Dawson,

The rules were suspended, the bill read a second time, and

On further motion,

Was referred to a select committee consisting of

Messrs. Dawson, Miller, and Eddy.

Mr. Milliken asked and obtained leave to introduce the following bill:

No. 22. A bill to authorize a company to construct the Manchester and Elizabethtown turnpike;

Was read a first time, and

On motion by Mr. Milliken,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Milliken,

Referred to the committee on Corporations.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate without amendment, to-wit:

No. 12. An act for the benefit of the New Albany and Salem Railroad Company.

On motion by Mr. Goodman,

The Senate resolved itself into committee of the whole on the Governor's message:

Senator Porter in the chair.

After having spent some time therein, the committee rose and reported the following resolution, and were discharged from the further consideration of that subject:

Resolved, That we refer that portion of the message of his Excellency, the Governor, which relates to the construction and management of canals and roads, to the committee on Canals and Internal Improvements;

And that portion which relates to agriculture and agricultural societies, to the committee on Agriculture;

And that portion which relates the universities, colleges, and common schools, to the committee on Education;

And that portion which relates to benevolent institutions, to the committee on Benevolent Institutions;

And that portion which has reference to geology and to the expenses of the Constitutional Convention, to the committee on Finance;

And those portions which relate to the jurisdiction of justices, and to the case of Vincennes University against the State, and the sale of Georgia lands, and the Patrick McGenley claim, to the committee on the Judiciary;

And that portion in relation to the State Library, to the committee on such library;

And that portion which relates to the grant by the United States of swamp lands, to a select committee of one from each judicial circuit;

And that portion which has reference to the State Prison, to the committee on such prison;

And that portion which has reference to the number of polls in the State, and to the reduction of Senators and Representatives, to the special committee on apportionment;

And that portion which relates to the late compromise measures of Congress, to the committee on Federal Relations;

And that so much of the Governor's message as relates to the claim

of the widow of E. J. Black, be referred to the committee on Claims;

And that so much of the Governor's message as relates to improving the revenue laws, be referred to the committee on Finance.

On motion by Mr. Graham,
The report of the committee was concurred in.

On motion by Mr. Hamrick,
The Senate adjourned.

SATURDAY MORNING, Jan. 4, 1851.

The Senate met.

The Journal of the preceding day was read.

PETITIONS PRESENTED.

By Mr. Dawson;

A petition of N. Jones and other citizens of Allen and De Kalb counties for a change of a State road;

Which was read, and

On motion by Mr. Dawson,

Referred to a select committee consisting of

Messrs. Dawson, Mickle, and Brugh.

The President laid before the Senate the following communication from his Excellency, the Governor:

HON. JAMES H. LANE,

President of the Senate:

SIR—You will please lay before the Senate the enclosed circular and petitions on the subject of a geological survey of the State.

Yours, &c.,

JOS. A. WRIGHT.

Which circular and petitions were,

On motion by Mr. Hamrick,
Referred to the committee on that subject.

REPORTS FROM COMMITTEES.

By Mr. Milliken, from the committee on Corporations:

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate, No. 16, have had the same under consideration, and have directed me to report it back to the Senate with one amendment, and after the adoption of which, recommend its passage.

No. 16. A bill to amend an act entitled, "an act to incorporate the Richmond and Williamsburgh Turnpike Company," approved January 16, 1849:

Amend by adding, in the sixth line of the first section, after the word "proper," the following:

Not exceeding the rates of toll per mile charged, on said road, those who pass through the gates;

Which amendment was adopted, the report concurred in by the Senate, and the bill ordered to be engrossed.

By Mr. Cravens, from the committee on Corporations;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 4, have had the same under consideration, and have instructed me to return the bill with the following amendment, after the adoption of which they respectfully recommend its passage, and ask to be discharged from the further consideration of the subject:

No. 4. A bill to amend an act entitled, "an act to incorporate the Richmond and Miami Railroad Company," approved January 19, 1846;

Amend the fourth line, section sixth, by striking out the words "any one or more," and insert the "Terre Haute and Richmond Railroad Company, or the Dayton and Western Railroad Company," each or either of them.

Which amendment was adopted, and the report concurred in by the Senate, and the bill ordered to be engrossed.

By Mr. McCarty, from the committee on Corporations;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 3, to repeal section 1 of an act therein named, have had the subject under consideration and have directed me to report the same back to the Senate and recommend its passage.

Which report was concurred in by the Senate, and the bill ordered to be engrossed.

By Mr. Ellis, from the committee on Corporations;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 8, to amend an act entitled, "an act to incorporate the town of Noblesville, have instructed me to report the same to the Senate and recommend its passage.

Which report was concurred in by the Senate.

On motion,

The rules were suspended, the bill read a third time and passed.

By Mr. Dawson, from a select committee;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 19, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

No. 19. A bill to change the name of Melissa Jane Gillespie to that of Melissa Jane Blair;

Which report was concurred in by the Senate.

On motion,

The rules were suspended, and the bill read a third time and passed.

ORDERS OF THE DAY.

Bills on their Second Reading.

No. 18. A bill to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad company;

Which was read a second time, and,

On motion,

Referred to the committee on Corporations.

No. 19. A bill to amend an act entitled "an act to increase and extend the benefits of common schools;"

Which was read a second time, and,

On motion,

Referred to the committee on Education.

No. 21. A bill to amend an act entitled "an act to incorporate the town of Patriot in Switzerland county, and to legalize the action of the collector of said town;"

Which was read a second time, and ordered to be engrossed for a third reading.

The following message was received from the House of Representatives by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

No. 21. An act to repeal an act giving further time to assessors, approved January 15th, 1844; and all laws contravening the provisions of section 28 of chapter 12 of the Revised Statutes;

In which the concurrence of the Senate is respectfully requested.

Bill No. 21, contained in the message of the House was taken up, read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

Referred to the Judiciary committee.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 6. An act in relation to the assessment and collection of a specific road tax, in Deer Creek township, Cass county.

Also,

No. 7. An act for the relief of the inhabitants of congressional township No. 25, north of range No. 2 east, in Cass county;

In which the concurrence of the Senate is respectfully requested.

Bill No. 6, contained in the message, was taken up, read a first time and passed to a second reading.

Bill No. 7, contained in the message, was also taken up, read a first time and passed to a second reading.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

No. 38. An act to repeal an act to restrict the grand jury in Franklin county in their sessions, approved January 15th, 1850;

In which the concurrence of the Senate is respectfully requested.

No. 38, contained in the message was taken up, read a first time, and,

On motion by Mr. Berry,
Referred to the Judiciary committee.
Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendments made by the Senate to bill of the House:

No. 2. A bill to change the time of holding courts in the eighth Judicial Circuit.

The following preamble and resolution was submitted by Mr. Miliken;

WHEREAS, The Auditor of State in his annual report makes it appear that \$5,940 of quarter per cent treasury notes have been redeemed over and above the whole amount issued and there are yet outstanding some \$2,000 or \$3,000 and invites investigation of this matter, therefore be it

Resolved, That the committee on Finance be instructed to investigate this matter and report the result thereof to the Senate;

Which was adopted.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Porter;

No. 23. A joint resolution on the subject of donating land to the State for the use of the Alton, Mt. Carmel and New Albany Railroad company;

Was read a first time and passed to a second reading.

By Mr. Delevan;

No. 24. A bill to abolish the office of school commissioner of the county of Morgan;

Was read a first time, and,

On motion by Mr. Delevan;

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time, and passed.

By Mr. Porter;

No. 25. A bill authorizing the Auditor of Harrison county to make a deed therein named;

Was read a first time, and passed to a second reading.

By Mr. Graham;

No. 26. A bill to amend an act entitled "an act to incorporate the Cannelton Savings Institution," approved January 18, 1850;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a third time, and,

On motion,

Referred to the committee on Corporations.

By Mr. Reid;

No. 27. A bill to increase the per diem allowance of the Probate Judge of Union and Fayette counties;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, when

Mr. Harvey moved to amend by inserting in the proper place the word "Hendricks;"

Which amendment was adopted; when

Mr. Logan moved to amend by inserting in the proper place the word "Rush;"

Which amendment was adopted; when,

On motion,

The rules were suspended, the bill considered as engrossed, read a third time and passed; when

Mr. Harvey moved to amend the title of the bill by inserting in the proper place the words "Rush" and "Hendricks;"

Which amendment was adopted.

By Mr. Mickle;

No. 28. A bill to incorporate the Ohio and Indiana Railroad company;

Which was read a first time.

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Ellis;

No. 29. A bill to amend an act entitled "an act incorporating the Ohio and Mississippi Railroad company;

Which was read a first time, and the rules suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Athon;

No. 30. A bill relative to the Clark County Central Plank Road Company.

Which was read a first time, and,

On motion by Mr. Athon,

The rules suspended, the bill read a second time, and referred to a select committee consisting of Messrs Athon, Winstandley, and Cravens.

By Mr. Goodman;

No. 31. A bill to change the name of Nancy Ann Kelso, of Du-bois county, to Nancy Ann McMahan.

Which was read a first time, and,

On motion by Mr. Goodman,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed to inform the Senate that the House has concurred in the amendment made by the Senate to bill of the House;

No. 1. A bill to enable Thomas G. Alvord to file his bill in the Laporte circuit court.

On motion,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President announced the following committees:

ON APPORTIONMENT.

Messrs. Milliken, Dawson, Garver, Dunn, Odell, Walker, Hanna, Reid, Hardin, Miller, Herod, English, and Montgomery.

ON GEOLOGICAL SURVEY.

Messrs. Mickle, Knowlton, Buckles, Adams, Odell, Henton, Hamrick, Logan, Harvey, James, Marshall, Cravens, and Turman.

ON SWAMP LANDS.

Messrs. Hanna, Allen, Winstandley, Woods, Goodman, Sleeth, Evans, Kinnard, Defrees, Niblack, Hunt, Day, and Morgan.

The President laid before the Senate the following communication:

STATE BANK OF INDIANA, }
INDIANAPOLIS, Jan. 3, 1851.

HON. JAMES H. LANE,
President of the Senate:

SIR—Herewith please receive and present to the Senate the annual reports of the branches at Lawrenceburgh, Richmond, Lafayette, and Fort Wayne.

Very Respectfully,
JAMES M. RAY,
Cashier.

Which reports were,

On motion,

Referred to the committee on State Bank.

The President laid before the Senate the following communication from the President of the State Bank:

STATE BANK OF INDIANA, }
INDIANAPOLIS, 3d Jan., 1851.

HON. JAMES H. LANE,
President of the Senate:

SIR—Please present to the Senate the accompanying report of the State Bank and branches.

Very Respectfully,
J. MORRISON,
President.

Which report was,

On motion by Mr. Hanna,

Laid on the table, and 500 copies ordered to be printed.

The President laid before the Senate the following communication from the President of the Board of Commissioners of the Sinking Fund:

OFFICE OF THE COMMISSIONERS OF THE SINKING FUND, }
INDIANAPOLIS, 3d January, 1851.

HON. JAMES H. LANE,
President of the Senate:

SIR—Please present to the Senate the accompanying report of the Commissioners of the Sinking Fund.

J. MORRISON,
President.

Which report was laid upon the table, and

On motion by Mr. Hanna,

Five hundred copies ordered to be printed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to attend in the hall of the House of Representatives instanter, to proceed to the election of a Judge of the Marion Court of Common Pleas, and that seats be provided for their accommodation on the right of the Speaker's chair.

Which resolution was concurred in by the Senate, and

Messrs. Hanna and Marshall were appointed tellers on the part of the Senate.

The Senate then repaired to the hall of the house of Representatives; whereupon,

The Joint Convention of the two Houses of the General Assembly of the State of Indiana then proceeded to ballot for a Judge of the Marion Court of Common Pleas;

Messrs. Hanna and Marshall acting as tellers on the part of the Senate, and

Messrs. Withers and Stone on the part of the House of Representatives;

When, on counting the first ballot, it appeared that

Edward Lander received	-	-	-	-	-	-	-	-	118	votes
John P. Morrison	"	-	-	-	-	-	-	-	12	"
Blank	-	-	-	-	-	-	-	-	8	"

Edward Lander having received a majority of all the votes given, was declared duly elected Judge of the Marion Court of Common Pleas, to serve as such during the unexpired term of his predecessor, the Hon. Abraham A. Hammond.

The President of the Convention then pronounced the same adjourned without day.

The Senate returned to their chamber, when

Mr. Garver asked and obtained leave to introduce the following bill:

No. 32. A bill to amend an act entitled, "an act to incorporate the Hamilton Manufacturing Company;"

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations;

Mr. Niblack asked and obtained leave to introduce the following resolution:

Resolved, That the committee on Claims be instructed to inquire how much, if any thing, is due Michael Riley, late Superintendent of the New Albany and Vincennes turnpike road, for extra services as such Superintendent in collecting and in endeavoring to collect tolls upon said road, and for a supposed balance due him upon his last settlement with the Auditor of State.

Which was adopted.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 4. An act to authorize the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their re-payment by mortgaging the property of said company.

No. 10. An act to authorize the appointment of a guardian of the person and estate of the person therein named, and for other purposes;

Which I am directed to bring to the Senate for the signature of the President.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the Senate:

No. 12. An act for the benefit of the New Albany and Salem Railroad Company.

Mr. Buckles moved that the Senate adjourn;
Which motion did not prevail.

Mr. Dawson asked and obtained leave to introduce the following bill:

No. 33. A bill to legalize the assessment of taxes for school purposes in district 7, in township 33, north of range 14 east, in DeKalb county;

Which was read a first time and passed to a second reading.

Mr. Dawson asked and obtained leave to introduce the following resolution:

Resolved, That the committee on Education be instructed to inquire into the expediency of relinquishing to the several counties in which they may lie, for the use of common schools therein, the swamp lands recently acquired by the State from the General Government;

Which was not adopted.

Mr. Teegarden asked and obtained leave to introduce the following memorial:

A memorial from the ladies of Laporte county on the subject of the liquor traffic;

Which was read, and

On motion by Mr. Teegarden,

Referred to the committee on Temperance.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to attend in the hall of the House of Representatives instantler, to proceed to the election of a State Librarian, and that seats be provided for their accommodation on the right of the Speaker's chair.

Whereupon the Senate repaired, in a body, to the House of Representatives and proceeded, by a joint viva voce vote, to the election of State Librarian.

Those who voted for Nathaniel Bolton, on the part of the Senate, were

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Delevan, English, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Logan, Mickle, Reid, Turman, Walker, Winstandley, and Woods—23.

Those on the part of the House, were

Messrs. Armstrong, Benson, Bird, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Essex, Franklin, Gentry, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Houghman, Humphreys,

Hutchinson, Jackson, Marquess, Marvin, McClelland, McKim, McMakin, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—78.

Those who voted for John B. Dillon, on the part of the Senate, were

Messrs. Day, Defrees, Dunn, Ellis, Hamrick, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Montgomery, Niblack, Odell, Porter, and Teegarden—16.

Those on the part of the House, were

Messrs. Blue, Bulla, Clark, Coburn, Conner, Cowan, Edwards, Fleece, Goodman, Goodwin, Hammond, Haywood, Hosbrook, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, McCarty, Mercer, Millikan, Moore, Morrow, Peckenpugh, Philips, Pratt, Reynolds, Robbins, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Watt, and Watts—55.

Those who voted for Mrs. Sarah T. Bolton, were

Messrs. Evans and Garver.

Nathaniel Bolton having received a majority of all the votes given, was, by the President of the Convention, declared duly elected State Librarian for the term of three years from this day.

The President of the Convention then adjourned the same without day.

The Senate then returned to their chamber;

When, leave being granted,

Mr. Buckles made the following report from the Judiciary committee:

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 20, to amend sections 25 and 26, of chapter 31 article 3, of the revised statutes of 1843, "so as to allow a greater rate of interest upon the loan or forbearance of any money, goods, or things in action, than six per centum per annum, to-wit: the rate of ten per centum per annum when the same is agreed to in writing," have had the same under consideration, and directed me to report it back for the action of the Senate, and respectfully ask that the committee be discharged from the further consideration of the subject.

On motion by Mr. Reid,
The bill was laid upon the table.
On motion by Mr. Sleeth,
The Senate adjourned.

MONDAY MORNING, January 6, 1851.

The Senate met.

The Journal of the preceding day was read.
The President laid before the Senate the report of the Cashier of the Branch of the State Bank at Madison.

Which,

On motion,

Was referred to the committee on the State Bank.

Mr. Knowlton submitted the following report from the Judiciary committee.

MR. PRESIDENT:

The Judiciary committee, to which was referred the petition of Amasa Hazen and others, praying for a release of the title of the State to 40 acres of land lying in Ripley county, have had the subject under consideration, and have directed me to report the following bill:

No. 34. A bill for the relief of Amasa Hazen, of Ripley county.

Which was read a first time, and,

On motion,

The rules were suspended, the bill read a second time; the rules being further suspended, the bill was read a third time and passed.

Mr. Harvey made the following report from the Judiciary committee:

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate, No. 6, entitled "a bill for the relief of Mary Clark, to convey real estate," have had the same under consideration, and instructed me to report said bill back to the Senate without amendment, and recommend its passage.

Which report was concurred in, and,

On motion,

The rules were suspended, the bill read a third time and passed.
Mr. Ellis presented a petition for the relief of Elizabeth Le Roy.
Which was read, and,

On motion,

Referred to the Judiciary committee.

Also, the following bill:

No. 35. A bill for the relief the widow and heirs of Alexis Le Roy, deceased.

Which was read a first time, and,

On motion by Mr. Ellis,

The rules were suspended, the bill read a second time, and referred to the Judiciary committee.

Mr. Garver made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of E. Van Buskirk and others, praying for the incorporation of a company to construct a plank road from Cicerotown, in Hamilton county, to Kirkland, in Clinton county, have had the same under consideration, and directed me to report to the Senate the accompanying bill and recommend its passage.

No. 36. A bill to incorporate the Cicerotown and Kirkland Plank Road Company.

Which was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

Mr. Athon introduced the following petition:

A petition of the president and directors of the Clark county central plank road from Jeffersonville to New Albany.

Which was read, and,

On motion by Mr. Athon,

Referred to a select committee consisting of Messrs. Athon, Winstandley and Cravens.

Mr. Mickle introduced the following bill.

No. 37. A bill to change the time of holding circuit courts in the Twelfth Judicial Circuit.

Which was read a first time, and,

On motion by Mr. Mickle,

The rules were suspended, the bill read a second time; the rules being further suspended, the bill was read a third time and passed.

Mr. Niblack offered the following resolution:

Resolved, That the Judiciary committee be instructed to inquire into the expediency of enacting some law to prevent or discourage free negroes or free persons of color from hereafter emigrating into this State, and also of making some provision by law to induce and encourage those now residents of this State to remove therefrom, and that said committee report by bill or otherwise.

Which resolution was adopted.

Mr. Hunt introduced the following bill:

No. 38. A bill to legalize the election of the Treasurer of Madison county.

Which was read a first time, and

On motion by Mr. Hunt,

The rules were suspended, the bill read a second time, and referred to the Judiciary committee.

Mr. Defrees asked and obtained leave to make the following report from the committee on Corporations:

MR. PRESIDENT:

The committee on Corporations to which was referred bill No. 11, "to authorize the extension of the New Castle and Richmond Railroad," have had the same under consideration, and have made the following amendments, and when adopted, recommend the passage of the bill.

Amend section one by striking out the words "at Noblesville in Hamilton county, or," and insert "or the Lafayette and Indianapolis Railroad," after the word "point." Also, add the following section:

SEC. 7. The said New Castle and Richmond Railroad Company are hereby authorized to borrow money from time to time, on the credit of said Company, at any rate of interest per annum to be agreed upon between the parties, for the sole purpose of constructing said road, and extension thereof hereby authorized, and furnishing the same with cars, locomotives and other machinery necessary to carry on the operations of said company, and may issue its corporate bonds or promissory notes therefor, and to secure the repayment thereof, with the interest which accrues, may mortgage the road, income, and other property of said company, and may by its President, or other officers or agent, sell, dispose of, or negotiate such bonds, notes or stocks of said company, at such times and such places, either within or without the state, and at such rates and for such prices as in their opinion will best advance the interests of said company. And if such bonds, notes or stocks, are thus sold at a discount, such sale shall be as valid and binding in every respect, as if sold at par value. And the said company is hereby authorized to confer upon the holder of any bond or note issued as aforesaid, the right to convert the principal thereof at any time unpaid, into the

stock of the company. *Provided*, The said company shall not have authority to issue bonds of a less denomination than fifty dollars.

Which report was concurred in, and the amendments adopted.

On motion,

The rules were suspended, the bill read a third time, and passed.

Mr. Holloway introduced the following bill:

No. 39. A bill to amend an act, entitled, "an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847," and the several acts amendatory of said act.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a third time, and

On motion,

Referred to the committee on Corporations.

ORDERS OF THE DAY.

Senate Bills on their Third Reading.

No. 3. A bill to repeal section one of an act approved January 19, 1850, of an act entitled an act to amend an act entitled, an act to incorporate the City of Indianapolis, approved May 27, 1848.

Was read a third time, and passed.

No. 16. A bill to amend an act entitled an act to incorporate the Richmond and Williamsburgh Turnpike Company, approved January 16, 1849;

Was read a third time and passed.

No. 4. A bill to amend an act entitled, "an act to incorporate the Richmond and Miami Railroad Company."

Was read a third time, and passed.

No. 21. A bill to amend an act entitled, an act to incorporate the town of Patriot in Switzerland county, and to legalize the action of the collector of said town.

Which was read a third time and passed.

No. 31. A bill to change the name of Nancy Ann Kelso of Du-bois county, to Nancy Ann McMahan.

Which was read a third time and passed.

BILLS OF THE SENATE ON THEIR SECOND READING.

No. 23. A Joint Resolution on the subject of donating land to the State for the use of the Alton, Mt. Carmel and New Albany Railroad Company.

Was read a second time.

Mr. Hamrick offered the following amendment:

Amend after the word "Mt. Carmel," by inserting the words "Terre Haute and Richmond Railroad, and, Ohio and Mississippi Railroad."

Which was adopted.

Mr. Reid offered the following amendment:

Amend by adding "The Junction Railroad Company."

Which amendment was adopted.

Mr. English offered the following amendment:

Amend by inserting the "Jefferson and Columbus Railroad."

Which amendment was adopted.

Mr. Dawson offered the following amendment:

Amend by adding in the proper place "all other Rail and Plank Road Companies in this State."

Which amendment was adopted.

On motion by Mr. Ellis,

The bill was referred to the committee on Federal Relations.

Mr. McCarty moved the following instructions:

Amend by inserting in the proper place, "that all the public lands in the state be donated to the State of Indiana, to be sold and applied to paying her public debt."

Which instructions were adopted.

No. 25. A bill authorizing the Auditor of Harrison county to make a deed therein named;

Was read a second time and ordered to be engrossed for a third reading.

No. 33. A bill to legalize the assessment of taxes for school purposes in district 7, in township 33, north of range 14 east, in DeKalb county;

Which was read a second time, and

On motion,

The rules were suspended, the bill read a third time and passed.

No. 6. A bill in relation to the assessment and collection of a specific road tax in Deer creek township, Cass county;

Was read a second time and passed to a third reading.

No. 7. A bill for the relief of the inhabitants of Congressional township No. 25, north of range No. 2 east, in Cass county;

Which was read a second time and ordered to be engrossed for a third reading.

On motion by Mr. Hanna,

Mr. Hamrick was added to the committee on Corporations during the time they may have bill No. 39 under consideration.

On motion by Mr. Reid,

The following bill was taken from the table:

No. 20. A bill to amend sections 25 and 26, of chapter 31, article 3, of the revised statutes of 1843, concerning the rate of interest;

Which was read a second time, when

Mr. Adams moved to indefinitely postpone the bill.

Mr. Ellis moved to postpone the subject until next Monday,

And before any action was taken upon the bill,

On motion by Mr. Ellis,

The Senate adjourned.

2 o'clock, P. M.

The Senate met, and

On motion by Mr. Ellis,
The Senate adjourned.

TUESDAY MORNING, January 7, 1851.

The Senate met.

The Journal of the preceding day was read.
The President laid before the Senate the following communication from His Excellency the Governor.

EXECUTIVE DEPARTMENT, }
January 7, 1851. }

HON. JAMES H. LANE,

President of the Senate:

SIR—You will please lay before the Senate, the enclosed resolutions of the State of Maryland, Mississippi, and Rhode Island, on the subject of the late compromise measures adopted by Congress.

Yours respectfully,

JOS. A. WRIGHT.

Which resolutions were,

On motion by Mr. Niblack,
Referred to the committee on Federal Relations.

PETITIONS INTRODUCED.

By Mr. Niblack,

A petition praying for a State Road from the town of Troy in Perry county to Greencastle in Putnam county.

Which was read, and

On motion by Mr. Niblack,

Was referred to a select committee consisting of Messrs. Niblack, Graham, Goodman, Alexander and Hamrick.

On motion by Mr. Goodman,
The vote taken on referring a petition (presented by him,) to the committee on Roads;
Was reconsidered,
When,

On motion by Mr. Goodman,
The petition was referred to a select committee.
By Mr. Holloway,
A petition on the subject of a State Road on the line between the counties of Wayne and Randolph;
Which was read, and

On motion by Mr. Holloway,
Referred to a select committee consisting of Messrs Holloway, Brugh and Evans.

By Mr. Allen,
A petition in relation to vacating streets and alleys in the town of Fairview, in the county of Montgomery;
Which was read, and

On motion by Mr. Allen,
Referred to a select committee consisting of Messrs. Allen, Hamrick and Turman.

REPORTS FROM STANDING COMMITTEES.

By Mr. Garver, from the committee on Finance.

MR. PRESIDENT:

The committee on Finance to whom was referred bill of the Senate No. 15, entitled "An act for the relief of Joseph Allen of Crawford county," have had the same under consideration and have made an amendment by striking from the first section where it occurs the word "name," and inserting the words "poll tax;" also by striking from the eighth line of said section the word "state," and insert therein the word "poll"—and with said amendments recommend its passage.

Which report was concurred in, the amendments adopted, and the bill ordered to be engrossed.

By Mr. Buckles, from the Judiciary committee.

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the Senate No. 38, legalizing the election of Isaac P. Snellson to the office of Treasurer and Collector of the county of Madison, to repeal an act therein named and revive in said county, section seventy of article

four of chapter seven of the revised statutes of 1843, have had the same under consideration, and directed me to report it back to the Senate, with the following amendment, and when so amended recommend its passage.

Amend by adding to the second section the following:

Provided however, That the official bond of the said Isaac P. Snellson, heretofore filed as such treasurer elect shall be deemed and taken to be in full force and virtue in law.

Which report was concurred in, the amendment adopted, and

On motion,

The rules suspended, the bill read a third time and passed.

By Mr. Logan,

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred the resolution of the Senate, enquiring into the propriety of so amending the criminal law, so as to make the granting of the change of venue discretionary with the court, have had the same under advisement, and have directed me to report that they deem it inexpedient to legislate on the subject at the present; and request to be discharged from all further action thereon.

Which was concurred in, and the committee discharged from the further consideration of the subject.

By Mr. Reid,

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred the resolution of the Senate, enquiring whether negroes and mulattoes were liable by law to pay a poll tax, and work on the roads, for personal privileges, have had the same under consideration, and now make the following report:

By referring to article 1, chapter 12, section 1, and the subsequent adjoining sections, they find that there are no exemptions to the payment of a poll tax, except to Indians and Revolutionary soldiers; in which the negro and mulatto are not included, hence your committee report that by law they are liable to pay a poll tax.

Regarding the liability of working the roads two days for personal privileges, your committee find that by section 101 of chapter 16 of article 4, *each male inhabitant* of the State (with some few exceptions) are liable to perform that duty, and although the negro and mulatto are not strictly speaking members of our social and political compact, yet being inhabitants of our State, enumerated and counted in our census as men, forming a basis of our population and representation, subject to our laws, and under the protection of our government, your committee cannot but regard them as liable to perform this duty also, having the use of the roads on which they labor, and

the unrestricted privilege of the highways which they help to construct.

That they are excluded from many of the rights and privileges of a citizen your committee allow, as well as some of the civil rights of man, which a portion of your committee believe they ought to enjoy, but these questions not being directly before us we waive the further consideration of the subject and beg to be discharged, &c.

Which report was concurred in, and the committee discharged from the further consideration of the same.

By Mr. Marshall,

MR. PRESIDENT:

The Judiciary committee to which was referred bill No. 21, of the House, have had that subject under consideration and directed me to report the same with the following amendment.

No. 21. A bill of the House to repeal an act giving further time to assessors, approved January 15, 1844, and all laws contravening the provisions of section 28 of chapter 12 of the revised statutes of 1843. Amend by adding at the close of the second section the words, "and said section is hereby re-enacted."

Which amendment was concurred in, the bill read a second time, and ordered to be engrossed.

By Mr. Milliken;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 22, A bill to authorize a company to construct the Manchester and Elizabethtown turnpike; have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations to which was referred bill of the Senate No. 2, to change the name and extend the corporate privileges of the Perry Mill at Cannelton, have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

By Mr. Niblack;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 28, entitled, "a bill to incorporate the Ohio and Indiana Railroad Company," have according to order had the same under consideration, and have directed me to report the same back to the Senate without amendment, and respectfully recommend its passage.

Which report was concurred in, and

On motion,

The rules were suspended, the bill read a third time, and passed.
By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations to whom had been referred Senate bill No. 29, to amend an act, entitled, an act to incorporate the Ohio and Mississippi Railroad Company, have instructed me to report the same to the Senate, and recommend its passage.

Which report was concurred in, and

On motion,

The rules were suspended, the bill read a third time, and passed.
By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill No. 7, "a bill to incorporate the Levee and Draining Company," have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations to whom was referred Senate bill No. 17, an act for the relief and protection of Stockholders [in] Railroad, Plank Road, and Turnpike Road Companies, have had the same under consideration, and report it back with the recommendation that the bill be referred to the Judiciary Committee.

The report was concurred in, and the bill was so referred.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 32, to amend an act, entitled, "an act to incorporate the Hamilton Manufacturing Company," have had the same under consideration, and have directed me to report the same back, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

By Mr. Graham:

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 26, "to amend an act, entitled an act to incorporate the Cannelton Savings Institution," have had the same under consideration, and have directed me to report the same back, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Montgomery asked and obtained leave to withdraw from the files of petitions of the Senate in the State Library, the petition of citizens of Warren county, praying for the release of the securities of John R. Harris, formerly School Commissioner of Warren county.

RESOLUTIONS INTRODUCED.

By Mr. Hanna;

Resolved, That the Senate will, the House concurring therein, proceed to the election of a President Judge of the 6th, and also of the 7th circuit to-morrow, (Wednesday,) at 10 o'clock, A. M.

Mr. Mickle moved to amend by inserting the "9th Judicial Circuit."

Which amendment was adopted.

Mr. Adams moved to amend by striking out "to-morrow," and inserting "Monday next."

Which amendment was not adopted.

Mr. Logan moved to strike out the "6th Judicial Circuit."

Which amendment was adopted.

The resolution as amended was then adopted.

By Mr. Buckles;

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of changing the present system of prosecuting the pleas of the State, and adopting in lieu thereof the circuit system, with leave to report by bill or otherwise.

Which was adopted.

By Mr. Reid;

Resolved, That the Senate (the House of Representatives concurring) proceed on Wednesday, the 15th inst., to elect a State Bank Director, vice William Dailey, whose term of office expires—the election to take place at 2 o'clock, P. M.

Which was adopted.

By Mr. Adams;

Resolved, That the committee on Finance be instructed to enquire into the expediency of providing by law for the re-appraisalment of real estate, and that they report by bill or otherwise.

Which was adopted.

Mr. Athon moved to take up the resolution of the House in reference to going into the election of Canal Trustee.

Which was decided in the negative.

BILLS INTRODUCED.

By Mr. Eddy;

No. 40. A bill in relation to the Northern Indiana Railroad Company.

Which was read a first time, and

On motion by Mr. Eddy,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

By Mr. Graham;

No. 41. A bill to dissolve the bands of matrimony between George Graffort and Mary Ann Graffort;

Which was read a first time, and

On motion by Mr. Graham,

The rules were suspended, the bill read a second time, and the question being on the engrossment of the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Athon, Brugh, English, Goodman, Graham, Hardin, Herod, Holloway, James, Kinnard, Miller, Milliken, Montgomery, Niblack, Reid, Sleeth, Teegarden and Woods—19.

Those who voted in the negative were,

Messrs. Alexander, Allen, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Dunn, Eddy, Ellis, Evans, Hamrick, Hanna, Harvey, Henton, Hunt, Knowlton, Logan, Marshall, McCarty, Mickle, Odell, Porter, Turman, Walker and Winsteadley—27.

So the bill was not ordered to be engrossed.

By Mr. Reid;

No. 42. A bill to amend an act entitled an act to incorporate the Junction Railroad;

Which was read first time, and

On motion by Mr. Reid,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

By Mr. Athon;

No. 43. A bill relating to the Jeffersonville Association.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, the rules being further suspended, the bill read a third time and passed.

By Mr. Odell;

No. 44. A bill to authorize the Auditor of Tippecanoe county to sell certain surplus revenue lands;

Which was read a first time, the rules suspended, the bill read a second time, and

Referred to the Judiciary committee.

Mr. Odell asked, and obtained leave to introduce the petition of Levi Jennings, praying a passage of a law authorizing the Auditor of Tippecanoe county, to sell certain surplus revenue lands;

Which was read, and

On motion by Mr. Odell,

Referred to the Judiciary committee, accompanying bill No. 44.

By Mr. Hunt;

No. 45. A bill declaring a misprint in an act approved January 16, 1849;

Which was read a first time, and passed to a second reading.

Mr. Miller asked and obtained leave to introduce a communication from Wm. Rigney and others, in relation to the New Albany and Vincennes road;

Which was,

On motion by Mr. Miller,

Laid upon the table.

On motion by Mr. Milliken,

Bill No. 22, was taken up;

A bill to authorize a company to construct the Manchester and Elizabeth Turnpike;

The rules being suspended, the bill was read a third time and passed.

The order of business being suspended,

Mr. Athon submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 30, have had the same under consideration, and have directed me to report the bill back with the accompanying amendment, No. —, section 4, and recommend its passage.

Amend as follows:

SEC. 4. At any time after the expiration of fifteen years from the passage of this act, the stock in that portion of said plank road lying between the cities of Jeffersonville and New Albany, shall revert to said cities in equal proportion, if they shall desire it, if said cities will pay to the company, what the value of the work done, and material furnished by the company shall be, the value of such work done, and materials furnished, to be ascertained by three commissioners to be appointed by the Governor of the State;

Which report was concurred in, the amendment adopted, and The bill ordered to be engrossed.

ORDERS OF THE DAY.

Bills on their Third Reading.

No. 25. A bill (of the Senate) to authorize the Auditor of Harrison county to make a deed therein named;

Was read a third time and passed.

No. 6. A bill (of the House) in relation to the assessment and collection of a specific road tax in Deer Creek township, Cass county;

Was read a third time and passed.

No. 7. A bill (of the House) for the relief of the inhabitants of Congressional township No. 25, north of range No. 2 east, in Cass county;

Was read a third time and passed.

No. 20. A bill (of the Senate) to amend sections 25 and 26 of chapter 31, article 3, of the revised statutes of 1843, concerning the rate of interest;

The question being on the indefinite postponement of the bill, The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Dawson, Day, Delevan, Dunn, Ellis, English, Evans, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, McCarty, Mickle, Miller, Montgomery, Niblack, Odell, Sleeth, Turman, Walker, and Woods—30.

Those who voted in the negative were,

Messrs. Berry, Buckles, Garver, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, Milliken, Porter, Reid, Teegarden, and Winstandley—16.

So the bill was indefinitely postponed.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That this House will, the Senate concurring therein, go into the election of a President Judge of the Ninth Judicial Circuit on this day at 2 o'clock, P. M.

To which the concurrence of the Senate is respectfully requested.

Which message was taken up and reciprocated by the Senate.

Mr. Miller moved that there be a call of the Senate.

Which motion did not prevail.

On motion by Mr. Adams,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE,
INDIANAPOLIS, Jan. 7, 1851. }

HON. JAS. H. LANE,

President of the Senate:

SIR—Be pleased to lay the accompanying annual report of the Secretary of State before the honorable body over which you preside.

Very Respectfully,

CHARLES H. TEST.

On motion by Mr. Milliken,

The report was laid upon the table, and 200 copies ordered to be printed.

Mr. Miller asked and obtained leave to introduce the following Joint Resolution:

No. 46. A joint resolution upon the subject of lands for school purposes.

Which was read a first time and passed to a second reading.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate to go into the election of a President Judge of the Seventh and Ninth Judicial Circuits, with the following amendment:
Strike out the Ninth Judicial Circuit.

Which message was taken up and the amendment of the House concurred in by the Senate.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to attend, *instanter*, in the Hall of the House of Representatives for the purpose of electing a President Judge of the Ninth Judicial Circuit.

Which,

On motion by Mr. Ellis,

Was reciprocated.

And Messrs. Porter and Miller were appointed tellers on the part of the Senate.

The Senate then repaired to the hall of the house of Representatives, to proceed to the election of a President Judge of the Ninth Judicial Circuit.

The Joint Convention of the two Houses of the General Assembly of the State of Indiana then proceeded to ballot for a President Judge of the Ninth Judicial Circuit,

Messrs. Porter and Miller acting as tellers on the part of the Senate, and

Messrs. Goodman and Jones on the part of the House of Representatives;

When, on counting the first ballot, it appeared that

Ebenezer M. Chamberlain received	- - - - -	126 votes.
Blank,	- - - - -	10 "

Ebenezer M. Chamberlain having received a majority of all the votes given, was declared duly elected President Judge of the Ninth Judicial Circuit for the term of seven years from and after the expiration of the term of service of the present incumbent.

The President of the Convention then pronounced the same adjourned without day.

The Senate returned to their chamber, when

On motion by Mr. Eddy,

The Senate adjourned.

WEDNESDAY MORNING, Jan. 8, 1851.

The Senate met.

The Journal of the preceding day was read.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the

Senate that the House has passed the following engrossed bills of the Senate without amendment:

No. 8. An act to amend an act entitled, "an act to incorporate the town of Noblesville," approved January 19th, 1850.

No. 10. An act authorizing Ranson W. Prather to drain certain lowlands therein mentioned.

No. 34. An act for the relief of Amasa Hazen, of Ripley county.

No. 37. An act to change the time of holding circuit court in the twelfth judicial circuit.

PETITIONS INTRODUCED.

By Mr. Hanna;

The petition of sundry citizens of Sullivan county upon the subject of the Evansville and Vincennes railroad;

Which was read, and

On motion by Mr. Hanna,

Was referred to a select committee consisting of Messrs. Hanna, Ellis, and Dole.

By Mr. Henton;

The petition of sundry citizens of Miami county upon the subject of collecting taxes;

Which was read, and

On motion, by Mr. Henton,

Referred to a select committee consisting of Messrs. Henton, Walker, and Niblack.

By Mr. Graham;

The petition of William Elder and others, of Perry county;

Which was read, and

On motion by Mr. Graham,

Referred to a select committee consisting of Messrs. Graham, Cravens, and Marshall.

By Mr. Athon;

The petition of 84 citizens of Clark county for a divorce for Sophia Amick from Henry Amick, of said county;

Which was read, and

On motion by Mr. Athon,

Was referred to a select committee consisting of Messrs. Athon, Woods, and Dunn.

REPORTS OF STANDING COMMITTEES.

By Mr. Reid;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 13, being an act to regulate the renting of real estate by execu-

tors, administrators, and guardians, have had the same under advisement, and request me to report the same back to the Senate with the following amendments, and when adopted, recommend its passage:

Amend 1st section by inserting after the word "annually," "or for the term of renting ordered by the Probate Court." Also, strike out the words in brackets, thus [], and insert "by putting up not less than three written or printed notices in three of the most public places in the township in which the land lies."

Amend section 3 by inserting after the word "themselves," "unless the father or mother of said infants is the executor, administrator, or guardian."

Which report was concurred in, the amendments adopted, and the bill ordered to be engrossed.

By Mr. Hamrick;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate, No. 39, entitled, "an act to amend an act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847, and the several acts amendatory of said acts, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in, and

On motion,

The rules were suspended, the bill read a second time, and passed.

By Mr. Winstandley;

MR. PRESIDENT:

The select committee to whom was referred the petition of John B. Anderson and others, of the city of New Albany, for a charter of Ayers University, have had the same under consideration and instructed me to report the following bill in accordance with the prayer of said petition, and respectfully ask its passage:

No. 47. A bill to incorporate the Ayers University;

Which was read a first time and ordered to a second reading.

RESOLUTIONS INTRODUCED.

By Mr. Hamrick;

Resolved, That the committee on the State Bank be instructed to inquire into the expediency of extending the charter of the State

Bank for the term of twenty years from and after the expiration of the present charter, with leave to report by bill or otherwise;

Which was adopted.

By Mr. Sleeth;

Resolved, That the select committee on apportionment be instructed to report a bill to reduce the number of Senators to thirty, and the number of Representatives to seventy.

Mr. Graham moved to amend by "directing the committee to inquire into the expediency" of the same;

Which was adopted.

Mr. English moved to lay the resolution on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Brugh, Cravens, Dawson, Defrees, Eddy, Ellis, English, Garver, Graham, Hardin, Henton, Hunt, James, Kinard, Knowlton, Miller, Niblack, Walker, and Winstandley—21.

Those who voted in the negative were,

Messrs. Alexander, Athon, Buckles, Day, Delevan, Dunn, Evans, Goodman, Hamrick, Hanna, Harvey, Herod, Holloway, Logan, Marshall, McCarty, Mickle, Milliken, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, and Wood—25.

So the resolution was not laid upon the table.

The resolution as amended was then adopted.

The following communication was received from his Excellency the Governor, by his Private Secretary, Wm. M. Noel, Esq.:

MR. PRESIDENT:

I am directed by the Governor to return to the Senate bill No. 12, which originated in that body, with his message in relation thereto.

BILLS INTRODUCED.

By Mr. McCarty;

No. 48. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

Which was read a first time and passed to a second reading.

By Mr. Eddy;

No. 49. A bill relative to pleadings in suits at law.
Which was read a first time and passed to a second reading.
By Mr. Reid;

No. 50. A bill to incorporate the Liberty and Miami Railroad Company.

Which was read a first time and passed to a second reading.
By Mr. Allen;

No. 51. A bill to increase the per diem allowance of the Probate Judge of the Probate court of Montgomery county.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, when

Mr. Hunt moved to amend by inserting in the proper place, the word "Madison."

Which was adopted.

The bill read a third time and passed,

When,

Mr. Reid moved to amend the title by inserting after the word "Montgomery," the word "Madison."

Which amendment was adopted.

By Mr. Knowlton;

No. 52. A bill to incorporate the Sparta and Napoleon Turnpike Company.

Which was read a first time, the rules suspended, the bill read a second time, and referred to a select committee, consisting of Messrs. Knowlton, Milliken, and Woods.

Mr. Ellis asked and obtained leave to introduce the following petition from the citizens of Chicago, for a charter for a Railroad from Michigan City to Illinois.

Which was read.

Mr. Ellis moved to refer to the committee on Corporations—during the pendency of which,

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House instantanly, for the purpose of electing a President Judge of the 7th Judicial circuit; and that seats be provided for their accommodation on the right of the Speaker's chair.

Which was reciprocated.

Messrs. Sleeth and Dunn were appointed tellers on the part of the Senate.

The Senate then repaired to the Hall of the House of Representatives, to proceed to the election of a President Judge of the 7th Judicial circuit.

The Joint Convention of the two houses of the General Assembly of the State of Indiana, then proceeded to ballot for a President Judge of the 7th Judicial circuit, Messrs. Sleeth and Dunn acting as tellers on the part of the Senate, and Messrs. Rice and Pratt on the part of the House of Representatives; when on counting the first ballot, it appeared that

Delana R. Eckles received	- - - - -	80 votes.
Samuel B. Gookins received	- - - - -	60 votes.
Blank,	- - - - -	3 votes.

Delana R. Eckles having received a majority of all the votes given, was by the President of the Convention, declared duly elected President Judge of the 7th Judicial circuit, for the term of seven years from this date.

The President of the Convention then adjourned the same without day.

The Senate then returned to their chamber,

When,

The Senate resumed their order of business.

The question being on referring the petition presented by Mr. Ellis, to the committee on Corporations,

Mr. Dunn moved to lay the petition on the table.

Which was decided in the affirmative.

Mr. Teegarden asked and obtained leave to introduce the following petition:

A petition from citizens of Laporte county that no amendment shall be made to any railroad charter in the north now running to Michigan City, unless that place is made a point;

Which was read, and,

On motion,

Laid on the table.

On motion by Mr. Montgomery;

Bill No. 212, of last session, was taken up, together with the following message from his Excellency, the Governor:

TO THE SENATE OF INDIANA:

Gentlemen: The accompanying bill, No. 212, an act for the relief of certain persons therein named, in Warren county, was passed at the last session of the General Assembly, but not having been presented to me until the last two days before the final adjournment, the same is now returned as provided by the Constitution with a mere statement of the reasons why I withhold my signature.

1st. The school fund that is attempted to be released by this bill (the sum of about \$2,500 as I am informed,) belongs to the people of Warren county, and the people of said county, or their agents, have the sole right to release or discharge the same.

2d. That the principle of saying by an act of the Legislature that no court in this State shall take jurisdiction of such a case, or such a suit therein named, is a violation of a clear vested right according to the letter and spirit of the decision of the cause of Gantly, Lessee, v. Ewing, *U. S. Supreme Court Reports*, 3d Howard, page 717.

According to the doctrine held in this cause the Legislature has no power "under the disguise of regulating the remedy to defeat an obligation or contract."

In the case under consideration, not only is the remedy attempted to be regulated, but it is entirely swept away; the debt not only released and discharged, but all the courts of the country are prohibited from taking jurisdiction of the cause. The only wonder is, that there is not also provided a penalty upon the judge or court who would dare to enforce the rights of the children of Warren county to this, their own necessary fund given them by the munificence of the general government.

3d. If this system is once adopted we shall have numerous *ex parte* applications to take away the jurisdiction of courts in actions against the securities of sheriffs, treasurers, &c., the practical effect of which will be,

4th. To make the Legislature a Court of Appeals to try and determine what actions shall be brought, against whom, who shall pay security debts, and who shall not.

5th. The tendency of such legislation is well calculated to make unsafe and insecure the rights of the citizen. In this way their rights are decided in their absence and consequently the man who is involved in the greatest amount of security debts will devote his time in the lobbies of our Legislature, which, by this cause, will become the place of management, deciding in the *ex parte* manner, past rights and duties, in the place of making laws for the government of the people.

For these reasons merely stated, your attention is again invited to a reconsideration of this bill.

JOSEPH A. WRIGHT.

December 30, 1851.

The bill and accompanying papers were read, and,

On motion of Mr. Marshall,

Were laid on the table.

Mr. Sleeth, chairman of the committee on Benevolent Institutions of the State, laid before the Senate the report of the Indiana Asylum for the education of the Deaf and Dumb;

Which was laid upon the table, and,

On motion,

500 copies were ordered to be printed for the use of the Senate and 500 copies for the use of the Asylum.

The President laid before the Senate the report of the Treasurer of State,

Which,

On motion by Mr. Niblack,

Was laid upon the table and 500 copies ordered to be printed.

On motion by Mr. Ellis,

It was ordered, that one copy of the report of the Treasurer of State, and one copy of the report of the Auditor of State be furnished to each member of the Convention.

The following message was received from the House of Representatives by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the House:

No. 16. An act to legalize the election of Samuel Geisinger to the office of County Treasurer of Elkhart county.

Which I am directed to bring to the Senate for the signature of the President thereof:

Also, the following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate to go into the election of a State Bank Director on Wednesday, the 15th inst., at 2 o'clock P. M., without amendment.

On motion by Mr. Dunn,

Bill No. 12 was taken up together with the following veto message from his Excellency, the Governor:

GENTLEMEN OF THE SENATE:

I herewith return the bill of the Senate No. 12, being an act for the benefit of the New Albany and Salem Railroad Company, with my reasons for withholding my signature.

This bill authorizes the company to issue bonds, to sell the same within or out of this State, to bear any rate of interest per annum, and to sell the same at such rates and for such prices as may be agreed upon, and that such sales, though made at a discount, shall be as valid as though the same were made at par.

There is in this company, county and city stock subscribed, and so far as I am advised, there is not a railroad in progress in the State in which there is not either city or county stock.

This work is one of the connecting links north and south through the State; it is progressing rapidly; is managed with prudence, and it is with great diffidence that I return you this bill and ask at your hands a reconsideration of the same.

During the last session, a short time after the commencement of my duties, this same question was presented to me. I took occasion then, in a special message, to offer some suggestions. Time has only served to convince me of the correctness of the opinions then advanced, and I take this opportunity, in the investigation of this subject, to refer you to a portion of the views I then offered, with such additional arguments as my time will allow me to lay before you.

Irrespective of the question as to the propriety of counties and cities, in their corporate capacity, subscribing to the stock of such works, it is clear that when such subscriptions are made, the interest which the counties and cities hold, should be surrounded by safe-guards of the most unquestionable security. From this consideration alone it is submitted that it would be improper to invest the directory of any company with unlimited power to sell bonds at any rate of discount they may please to make, and to cause them to bear any rate of interest however exorbitant. Is it not the duty of the lawmaking power to protect the tax payers of the subscribing counties from encroachment, especially when the irrevocable character of such bonds is considered?

But this objection to the unlimited rate of interest and discount is greatly strengthened by a consideration of the vast number of enterprises of this character in this and the adjoining States, and the probable effect of their prosecution upon our financial condition. Facts of recent occurrence are full of instruction on this subject. The lesson that a similar state of things taught the people of the old world, I trust are not forgotten.

There these enterprises have already received a severe check, and it would seem that the spirit of speculation has been transferred from that field of operation, in a great measure, to this country.

Here similar scenes are now being enacted, not to the same extent, it may be; but unless a prudent foresight interpose its salutary check, there is ground for the apprehension that results equally disastrous will here ensue.

We are advised that one of the first moneyed houses of the old world has lately established a branch in our great commercial metropolis, thus preparing for action, regarding this as the peculiar field for such operations; and from the very fact that it becomes necessary now, in the prosecution of these works, to ask leave to pay a higher rate of interest than usual, and to sell their bonds at whatever amount they may agree to receive, is evidence of a strong

pressure, or otherwise, of an over action in this branch of enterprise.

Indiana has had such a lesson on the subject of the prosecution of works of a similar character, that we shall be justly chargeable with a want of prudence if we fall again into a like difficulty without having made some exertion to avoid the disaster. If the moneyed operations of these companies are confined to the ordinary and safe methods of conducting business; if large debts are not contracted at heavy rates of interest or at a ruinous discount, then, in case of a general pressure, the worst that could happen would be a suspension of the work.

But consider what would be the effect if, by a general monetary revulsion, such a work should be arrested while in the midst of its active operations, if burdened with the obligation to pay heavy rates of interest, and at the same time, with no part of the work so far finished as to be susceptible of producing revenues.

Extend this example over the whole State, and what would we see but the materials of these works brought under the hammer? the lands pledged to them disposed of at forced sales, to the consternation of the too confiding occupants, and the tax payers of a subscribing county groaning under a burdensome imposition for the purpose of paying the interest on a stock which pays the dividends?

It is said if a limit is prescribed as to the sale of these bonds, or the interest they shall bear, that no sale can be made at any better rates or limits. This is not true. It was not so in the sale of the State bonds during the progress of our system of internal improvements. There was invariably a limit prescribed as to the interest the bonds should bear, and according to the reports of the Fund Commissioners, sales were made for less than the rates prescribed, and in many instances a premium. But with all the restrictions that could be thrown around the sale of our bonds, the State suffered greatly, and she will not soon again lend her credit or become interested in any works of internal improvements. We are now in the midst of the second history of internal improvements in Indiana, in which are involved a large amount of corporation stocks of counties and cities. It is a matter of but little difference whether State, counties, or individuals are carrying on an enterprise, if the same fails, or turns out badly, it would equally affect the whole community. All are alike interested in the welfare and prosperity of the State. The adoption of a principle that is liable to be abused, and will work to the injury of the one, will inevitably affect the other.

We have more than a million of county and city stock in various railroads of the State, and the prospect is, that the amount will be largely increased the coming season.

Whenever it shall become necessary to carry on these works, that you have to place the credit of the companies in the hands of the money lender and the individual entrusted with the work without limit or restriction, that moment you will prostrate the credit of the country.

What will be the character of our State abroad when counties and cities shall be driven, in effect, to repudiate their obligations and contracts: when this shall take place you will find the dues of the State placed in the same situation.

When a rate of interest is established by law, and when, as with us, the rate is high compared with commercial rates, it is good policy not to permit exceptions to the rule, except in extreme cases, and then there should be a limit.

In the case under consideration it seems to me that public policy points plainly to the enforcement of the rule within a given limit. It might be safe and even desirable to permit the sale of bonds at somewhat less than the par of State bonds of the same rate of interest, but the experience of the State admonishes us that the discretion in such cases should have its limits defined.

It is a remarkable fact that in every instance that has come under my observation where this power is sought to be given to the directors of companies to borrow money or make sales of bonds without limit or restriction, that in the first instance acts of incorporation have been passed by the Legislature in which no such power is given, and that counties in good faith have taken stock in said companies, that subsequently amendments have been made, from time to time, until now this unlimited power is asked.

It is suggested, with great deference, whether the adding of this power would not be a violation of the faith upon which the people of the several counties in their corporate name, have heretofore taken stock in the various companies of the State.

It is said the bill referred to does not authorize the selling of the bonds of the counties or the hypothecating of them at any rate of interest that may be agreed upon. While this is, perhaps, true, it is difficult for me to perceive the difference between giving the power expressly in relation to the bonds of the counties or making the same unlimited power applicable alone to the stock of the company or of borrowing money. If you affect the stock by exorbitant interest, or sell the bonds of the company at ruinous sacrifices, it must affect the county stock as well as that of the citizen. All are connected together for the welfare of the work, and the adoption of a principle that is calculated to injure the one, will the others.

The objection to this want of limit in the rate of interest to be paid for money borrowed and in the sale of stocks is, that it gives a power which is liable to great abuse, and may involve the most ruinous consequences, and I cannot but think that the Legislature, in conferring such a power, have failed to consider, with the requisite maturity, all the abuses to which it is liable. We know not who are to hold the places of directors of these corporations, with the right thus to offer, in market, the stock of the companies and to borrow. Prudence requires that we should guard against every possible state of things that may arise.

The internal improvement system was undertaken with the too

confident expectation that the works to be constructed, when finished, would be productive, and yield ample revenue to pay the interest on the debt incurred in their construction; that it would impose no burden of taxation. On the contrary, the system would confer great benefits upon the State, and relieve the people from the pressure of existing burdens. With such expectations the obligations of the State were issued and scattered broad-cast in the market. Our experience of the disastrous consequences is too recent and costly to be forgotten. After the suspension of our public works in 1840, and when the delusions had been dispelled by the unmistakeable fact that there was no way to resuscitate the credit and vindicate the faith of the State than by a resort to taxation, it was then that the mode in which the obligation of the State had been sold was scrutinized, and there was no sentiment more common than this, that we should not pay any thing on our bonds for which we had not received the money, and that we should only pay on the bonds sold, the amount of which had been received.

The transition from this sentiment is rapid to the following language in the bill before us: "All sales at a discount, the same shall remain as valid and binding in every respect as if sold at par value."

It is proper, it seems to me, that we bring the question to this test, and to assume that the people of the counties may be called upon to provide for the payment of both principal and interest of their bonds by taxation.

From the excitement upon the subject of Railroads, and the unlimited power that is now sought by the companies of the State, it would appear that private credit is almost exhausted, and it is now asked to exhaust public credit as far as possible, by offering in our public and deliberate acts of legislation, to pay any rate of interest, however large, and to sell in market our credit for any price to raise money.

Whatever difference of opinion may exist as to limiting the rate of discount on bonds sold in the market, it seems to me, that there should be but one sentiment in regard to the limitation of the rate of interest. Is it not possible, that in the over anxiety to secure the means, for the construction of a favorite work, the directors, or agent, might be induced to agree to such a rate of interest as not only to be suicidal to the work itself, but by the destruction of public credit, to involve all others in its ruins?

It is confidently believed that no such policy has been projected or fostered in any state in the Union, and I trust Indiana will not be the first to set the example.

In addition to the above considerations, I cannot but regard the passage of a bill involving such important principles, on the same day of its introduction, by repeated suspensions of the rules, and without reference to a committee, as an instance of hasty legislation, which alone would justify executive interference.

JANUARY 8, 1851. JOSEPH A. WRIGHT.

The question being, shall the bill pass, notwithstanding the objections of his Excellency the Governor,

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Day, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, English, Evans, Garver, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Holloway, James, Kennard, Knowlton, Logan, Marshall, McCarty, Miller, Milliken, Montgomery, Niblack, Odell, Porter, Reid, Sleeth, Teegarden, Walker, Winstandley, and Wood—43.

Those who voted in the negative were,

Messrs. Dawson, Hunt, and Mickle—3.

A majority of all the Senators having voted in the affirmative, the bill passed.

On motion by Mr. Miller,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 2. A bill to change the name and extend the corporate privileges of the Perry Cotton Mill at Cannelton.

Was read a third time and passed.

No. 7. A bill to incorporate the Levee and Draining Company.

Was read a third time and passed.

No. 26. A bill to amend an act entitled, "an act to incorporate the Cannelton Savings Institution, approved January 18, 1850."

Was read a third time and passed.

No. 30. A bill relative to the Clark county Central Plank Road Company.

Was read a third time and passed.

No. 32. A bill to amend an act entitled, an act to incorporate the Hamilton Manufacturing Company.

Was read a third time and passed.

H. Bill No. 21. A bill to repeal an act giving further time to as-

sessors, approved January 15, 1844, and all laws contravening the provisions of Sec. 28 of Chap. 12 of the Revised Statutes of 1843.

Was read a third time and

The Hon. Wm. P. Dole, Senator from the counties of Parke and Vermillion, whose term of office had not expired since the last session of the General Assembly, appeared and took his seat.

BILLS, SENATE, ON SECOND READING.

No. 45. A bill declaring a misprint in an act approved January 16, 1849.

Was read a second time.

Mr. Niblack moved to amend, by striking out all of section three after the word "passage."

Which was adopted.

On motion,

The rules were suspended, the bill read a third time and passed.

No. 46. A Joint Resolution on the subject of lands for school purposes.

Was read a second time, and

On motion,

Referred to the committee on Federal Relations.

Mr. Hardin moved to suspend the rules, so as to introduce a resolution.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Defrees, Eddy, Ellis, English, Garver, Hardin, Herod, Holloway, Logan, McCarty, Mickle, Porter, Sleeth, Walker, and Wood—21.

Those who voted in the negative were,

Messrs. Buckles, Dawson, Day, Delevan, Dole, Dunn, Evans, Goodman, Graham, Hanna, Harvey, Henton, Hunt, James, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Niblack, Odell, Reid, Teegarden, and Turman—25.

So the rules were not suspended.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, go into the election of Warden of the State Prison, on Tuesday next, at 2 o'clock, P. M.

In which the concurrence of the Senate is respectfully requested.

Which message was taken up.

The question being on concurring in the resolution of the House,
The Senate refused to concur.

Also, the following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 5. An act to incorporate the town of Vernon, in Jennings county.

No. 11. An act requiring the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named.

No. 17. An act to repeal an act therein named.

No. 18. An act to repeal an act entitled "an act fixing the salary of the Auditor of the county of Owen."

No. 22. An act to locate a State road in the counties of Kosciusko and Wabash.

No. 23. An act to repeal an act entitled "an act authorizing the Commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county."

No. 25. An act to open an alley in the town of Perrysville, in the county of Vermillion.

No. 26. An act to revive the 61st section of an act entitled "an act to establish certain State roads therein named, and for other purposes," approved February 18, 1839.

No. 27. An act to repeal an act entitled "an act relative to overseers of the poor," approved February 15, 1844, so far as relates to the county of Clay.

No. 28. An act to revive a certain act therein named.

No. 36. An act to extend the time of holding courts in the county of Tipton.

No. 37. An act authorizing the Board of Commissioners of the county of Morgan to make additional allowances to the Auditor of said county.

No. 29. An act to repeal an act therein named.

No. 30. An act defining the duties of the county Treasurer of Lake county.

No. 33. An act authorizing county Auditors to appoint deputies.

No. 58. An act to amend an act to exempt from taxation for

corporation purposes certain lands within the present limits of the city of Lawrenceburgh, passed and approved 20th of January, 1846.
In which the concurrence of the Senate is respectfully requested.

Bills Nos. 5 and 30 contained in the message were each taken up, read a first time, the rules suspended, the bills read a second time; the rules further suspended, the bills read a third time and passed.

Nos. 11, 17, 18, 22, 23, 25, 26, 27, 28, 29, 33, and 36 contained in the message were severally taken up, read a first time, and passed to a second reading.

No. 37 contained in the message was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of Messrs. Delavan, Adams and Evans.

No. 58 contained in the message was read a first time, the rules suspended, the bill read a second time and referred to the Judiciary committee.

No. 15. An act for the relief of Joseph Allen, of Crawford county;

Was read a third time and passed.

Mr. Garver asked and obtained leave to introduce the following resolution:

Resolved, That the committee on Finance be authorized to send for and bring before them persons and papers, for the purpose of investigating the cause of the apparent difference between the issue of the amount of one-quarter of one per cent. treasury notes, and that has already been redeemed and is still outstanding, as appears from the report of the Auditor of State.

Which was adopted.

On motion by Mr. Sleeth,

The resolution of the House in reference to going into the election of United States Senator was taken from the table.

Mr. Hardin moved to amend the resolution by inserting "the 10th instant."

When,

Mr. Hanna moved to insert in the proper place, 4 o'clock to-day.
The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Buckles, Dawson, Defrees, Dole, Dunn, Ellis, Evans, Garver, Hamrick, Hanna, Harvey, Herod, Holloway, Hunt, Knowlton, Marshall, Miller, Montgomery, Odell, Porter, Teegarden, and Turman—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Berry, Cravens, Day, Delevan, Eddy, English, Goodman, Graham, Hardin, Henton, James, Kinnard, Logan, Mickle, Milliken, Niblack, Reid, Sleeth, Walker and Woods—23.

There being a tie vote the President decided in the negative.

Mr. Hanna moved to amend as follows:

Strike out the "8th," and insert the "21st."

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Buckles, Day, Defrees, Dole, Evans, Goodman, Graham, Hanna, Harvey, James, Kinnard, Marshall, Milliken, Montgomery and Turman—15.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Dawson, Delevan, Dunn, Eddy, Ellis, English, Garver, Hamrick, Hardin, Henton, Herod, Holloway, Hunt, Knowlton, Logan, McCarty, Mickle, Miller, Niblack, Odell, Porter, Reid, Sleeth, Teegarden, Walker and Woods—33.

So the amendment was not adopted.

Mr. Hanna moved to lay the resolution on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Buckles, Delevan, Dole, Evans, Goodman, Graham, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Odell, Porter, Reid, Teegarden and Turman—21.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Dawson, Day, Defrees, Dunn, Eddy, Ellis, English, Garver, Hamrick, Hardin, Henton, Herod, Holloway, Logan, McCarty, Mickle, Niblack, Sleeth, Walker and Woods—27.

So the amendment was not adopted.

Mr. Buckles moved to postpone the further consideration of the resolution until to-morrow at 2 o'clock.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Buckles, Delevan, Dole, Evans, Goodman, Graham, Hamrick, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Niblack, Porter, Reid and Turman—23.

Those who voted in the negative were,

Messrs. Adams, Athon, Berry, Brugh, Cravens, Dawson, Day, Defrees, Dunn, Eddy, Ellis, English, Garver, Hardin, Henton, Herod, Holloway, Logan, McCarty, Mickle, Odell, Sleeth, Teegarden, Walker and Woods—25.

So the resolution to postpone was decided in the negative.

Mr. Hanna moved that the Senate adjourn.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Buckles, Dole, Dunn, Ellis, Evans, Goodman, Graham, Harvey, Hunt, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Niblack, Porter, Reid and Turman—19.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Dawson, Day, Defrees, Delevan, Eddy, English, Garver, Hamrick, Hardin, Henton, Herod, Holloway, James, Logan, McCarty, Mickle, Odell, Sleeth, Teegarden, Walker and Woods—28.

So the Senate did not adjourn.

Mr. Buckles moved to amend the resolution by striking out the "10th" and insert the "15th."

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative, were,

Messrs. Buckles, Delevan, Dunn, Evans, Goodman, Graham, Hamrick, Hanna, Harvey, Hunt, James, Kinnard, Marshall, Miller, Milliken, Montgomery, Porter, Reid and Turman—19.

Those who voted in the negative, were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Dawson, Day, Defrees, Dole, Eddy, Ellis, English, Garver, Hardin, Henton, Herod, Holloway, Knowlton, Logan, McCarty, Mickle, Niblack, Odell, Sleeth, Teegarden, Walker and Woods—29.

So the amendment was not adopted.

Mr. Mickle moved to strike out the "10th," and insert the "11th."

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Berry, Brugh, Cravens, Dawson, Delevan, Dunn, Eddy, English, Garver, Goodman, Henton, Holloway, Hunt, James, Kinnard, Logan, Mickle, Niblack, Odell, Porter, Reid, Teegarden, Turman, Walker, and Woods—26.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Buckles, Day, Defrees, Dole, Ellis, Evans, Graham, Hamrick, Hanna, Hardin, Harvey, Herod, Knowlton, Marshall, McCarty, Miller, Milliken, Montgomery, and Sleeth—22.

So the amendment was adopted.

Mr. Buckles moved that the Senate adjourn.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Buckles, Dole, Ellis, Evans, Goodman, Graham, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Porter, Reid, and Turman—19.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Dawson, Day, Defrees, Delevan, Dunn, Eddy, English, Garver, Hamrick, Hardin, Henton, Herod, Holloway, Logan, McCarty, Mickle, Niblack, Odell, Sleeth, Teegarden, Walker, and Woods—29.

So the Senate did not adjourn.

Mr. Ellis moved that the Senate adjourn.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Buckles, Dawson, Dole, Dunn, Ellis, Evans, Goodman, Graham, Hamrick, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Niblack, Porter, Reid, and Turman—23.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Day, Defrees, Delevan, Eddy, English, Garver, Hardin, Henton, Herod, Holloway, Logan, McCarty, Mickle, Odell, Sleeth, Teegarden, Walker, and Woods—26.

So the Senate refused to adjourn.

On motion by Mr. Ellis,

The further consideration of the subject was postponed for the purpose of taking up the following message from the House.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House has passed the following enrolled bill of the Senate, to wit, without amendment:

No. 12. An act for the benefit of the New Albany and Salem Railroad Company,

The objections of the Governor notwithstanding.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following enrolled bill thereof:

No. 4. An act authorizing the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their re-payment by mortgaging the property of said company.

The objections of the Governor to the contrary notwithstanding.

Which, together with the Governor's objections, I am directed to bring to the Senate for their consideration.

The following veto message was then taken up and read:

Gentlemen of the House of Representatives:

I herewith return you the bill of your House, No. 4, being An act

authorizing the Terre Haute and Richmond Railroad Company to issue bonds, &c., with my reasons for withholding my signature.

This bill authorizes the company to issue bonds, to sell the same within, or out of this State, to bear any rate of interest per annum, and to sell the same at such rates, and for such prices, as may be agreed upon; and that such sales, though made at a discount, shall be as valid as if sold at par.

There is in this company, county stock. There is not a rail road in progress in this state, in which there is not either county or city stock.

This work is an important one—it is a part of one of the great thoroughfares of the state; it is managed by the most prudent men of the country, who have embarked a large amount of their capital in the enterprise, and who deserve to receive the aid of the Legislature; and nothing but a sense of duty compels me to return this bill for your re-consideration.

During the last session, a short time after the commencement of my duties, this same question was presented to me. I took occasion then, in a special message, to offer some suggestions. Time has only served to convince me of the correctness of the opinions then advanced; and I take this opportunity, in the investigation of this subject, to refer you to a portion of the views I then offered, with such additional arguments as my time will allow me to lay before you.

Irrespective of the question as to the propriety of counties and cities, in their corporate capacity, subscribing to the stock of such works, it is clear that when such subscriptions are made, the interest which the counties and cities hold, should be surrounded by safeguards of the most unquestionable security. From this consideration alone, it is submitted that it would be improper to invest the directory of any company with unlimited power to sell bonds at any rate of discount they may please to make, and to cause them to bear any rate of interest however exorbitant. Is it not the duty of the law-making power to protect the tax payers of the subscribing counties from encroachment, especially when the irrevocable character of such bonds is considered?

But this objection to the unlimited rate of interest and discount, is greatly strengthened by a consideration of the vast number of enterprises of this character in this and the adjoining States, and the probable effect of their prosecution upon our financial condition. Facts of recent occurrence are full of instruction on this subject. The lesson that a similar state of things taught the people of the old world, I trust are not forgotten. There, these enterprises have already received a severe check, and it would seem that the spirit of speculation has been transferred from that field of operation, in a great measure, to this country.

Here, similar scenes are now being enacted; not to the same extent it may be, but unless a prudent foresight interposes its salutary

checks, there is ground for apprehension that results equally disastrous will here ensue.

We are advised that one of the first moneyed houses of the old world has lately established a branch in our great commercial metropolis, thus preparing for action, regarding this as the peculiar field for such operation; and, from the very fact that it becomes necessary now, in view of the interest of certain companies in the prosecution of these works, to ask leave to pay a higher rate of interest than usual, and to sell their bonds at whatever amount they may agree to receive, is evidence of a strong pressure, or, otherwise, of an overaction in this branch of enterprise.

Indiana has had such a lesson on the subject of the prosecution of works of a similar character, that we shall be justly chargeable with a want of prudence, if we fall again into a like difficulty, without having made some exertion to avoid the disaster. If the moneyed operations of these companies are confined to the ordinary and safe methods of conducting business, if large debts are not contracted at heavy rates of interest, or at a ruinous discount, then, in case of a general pressure, the worst that could happen would be a suspension of the work.

But consider what would be the effect if, by a general monetary revulsion, such a work should be arrested while in the midst of its active operation, if burdened with the obligation to pay heavy rates of interest, and at the same time with no part of the work so far finished as to be susceptible of producing revenue.

Extend this example over the whole State, and what would we see but the materials of these works brought under the hammer, the lands pledged to them, disposed of at forced sales, to the consternation of the too confiding occupants, and the tax payers of a subscribing county groaning under a burdensome imposition for the purpose of paying the interest on a stock which pays no dividends?

It is said, if a limit is prescribed as to the sale of these bonds, or the interest that they shall bear, that no sale can be made at any better rates or limits. This is not true. It was not so in the sale of the State bonds, during the progress of our system of internal improvements. There was invariably a limit prescribed as to the interest the bonds should bear, and according to the reports of the Fund Commissioners, sales were made for less than the rates prescribed, and in many instances a premium.

But, with all the restrictions that could be thrown around the sale of our bonds, the State suffered greatly, and she will not soon again lend her credit or become interested in any works of internal improvement.

We are now in the midst of the second history of internal improvement in Indiana, in which are involved a large amount of corporation stock of counties and cities. It is a matter of but little difference whether the State, counties, or individuals, are carrying on an enterprise, if the same fails, or turns out badly, it will equally

effect the whole community. All are alike interested in the welfare and prosperity of the State. The adoption of a principle that is liable to be abused, and will work to the injury of the one, will inevitably affect the other.

We have more than a million of county and city stock in the various railroads of the state, and the prospect is that the amount will be largely increased the coming season.

Whenever it shall become necessary, to carry on these works, that you have to place the credit of the companies in the hands of the money-lender and the individual intrusted with the work, without limit or restriction, that moment you will prostrate the credit of the country.

What will be the character of our State abroad when counties and cities shall be driven, in effect, to repudiate their obligations and contracts? When this shall take place, you will find the dues of the State placed in the same situation.

When a rate of interest is established by law, and when, as with us, the rate is high compared with commercial rates, it is good policy not to permit exceptions to the rule, except in extreme cases, and then there should be a limit.

In the case under consideration, it seems to me, that public policy points plainly to the enforcement of the rule within a given limit.

It might be safe, and even desirable, to permit the sale of bonds at somewhat less than the par of State bonds of the same rate of interest, but the experience of the State admonishes us that the discretion, in such cases, should have its limits *defined*.

It is a remarkable fact, that in every instance that has come under my observation, where this power is sought to be given to the directors of companies to borrow money, or make sales of bonds without limit or restriction, that in the first instance acts of incorporation have been passed by the Legislature, in which no such power is given, and that counties in good faith have taken stock in said companies; that subsequently amendments have been made from time to time, until now this unlimited power is asked.

It is suggested, with great deference, whether the adding of this power would not be a violation of the faith upon which the people of the several counties, in their corporate name, have heretofore taken stock in the various companies of the State.

It is said that the bill referred to does not authorize the selling of the bonds of the counties, or the hypothecating of them at any rate of interest that may be agreed upon. While this is, perhaps, true, it is difficult for me to perceive the difference between giving the power expressly in relation to the bonds of the counties, or making the same unlimited power, applicable alone to the stock of the company or the bonds of the counties; or making the same unlimited power applicable alone to the stock of the company, or the borrowing of money. If you affect the stock by exorbitant interest, or sell the bonds of the company at a ruinous sacrifice, it must affect

the county stock as well as that of the citizen. All are connected together for the welfare of the work, and the adoption of a principle that is calculated to injure the one will injure the others.

The objection to this want of limit in the rate of interest to be paid for money borrowed, and in the sale of stocks, is, that it gives a power, which is liable to great abuse, and may involve the most ruinous consequences. And I cannot but think that the legislature, conferring such a power, have failed to consider, with the requisite maturity, all the abuses to which it is liable. We know not who are to hold the places of directors of these corporations, with the right thus to offer, in market, the stock of the companies and to borrow money. Prudence requires that we should guard against every possible state of things that may arise.

The internal improvement system was undertaken, with the too confident expectation, that the works to be constructed, when finished, would be productive and yield ample revenue to pay the interest on the debt incurred in their construction. That it would impose no burden of taxation. On the contrary the system would confer great benefits upon the State, and relieve the people from the pressure of existing burdens. With such expectations the obligations of the State were issued and scattered broad cast in the market. Our experience of the disastrous consequences, is too recent and costly to be forgotten. After the suspension of our public works in 1840, and when the delusions had been dispelled by the unmistakable fact, that there was no way to resuscitate the credit and vindicate the faith of the State, than by a resort to taxation, it was then that the mode in which the obligations of the State had been sold, was scrutinized, and there was no sentiment more common than this, that we should not pay any thing on our bonds for which we had not received the money; and that we should only pay on the bonds sold, the amount of which had been received.

The transition from this sentiment, is rapid to the following language in the bill before us, "all sales at a discount, the same shall remain as valid and binding, in every respect, as if sold at par value."

It is proper it seems to me, that we bring to this test, and to assume that the people of the counties may be called upon to provide for the payment of both principal and interest of their bonds, by taxation.

From the excitement upon the subject of railroads, and the unlimited power that is now sought by the companies of the State, it would appear that private credit is almost exhausted; and it is now asked to exhaust public credit, as far as possible, by offering in our public and deliberate acts of legislation, to pay any rate of interest however large, and to sell in market our credit for any price, to raise money.

Whatever difference of opinion may exist as to limiting the rate of discount on bonds, sold in the market, it seems to me that there

should be but one sentiment in regard to the limitation of the rate of interest. Is it not possible that, in the over anxiety to secure the means for the construction of a favorite work, the directors or agent, might be induced to agree to such a rate of interest, as, not only to the work itself, but by the destruction of public credit, to involve all others in its ruins?

It is confidently believed that no such policy has been projected or fostered in any State in the Union, and I trust Indiana will not be first to set the example.

In addition to the above considerations, I cannot but regard the passage of a bill involving such important principles, on the same day of its introduction, by repeated suspensions of the rules, and without reference to a committee, as an instance of hasty legislation, which alone would justify executive interference.

JOSEPH A. WRIGHT.

January 8, 1851.

The question then being on the passage of the bill, the objections of his Excellency, the Governor, to the contrary notwithstanding,

Those who voted in the affirmative, were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Day, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, English, Evans, Garver, Goodman, Hamrick, Hanna, Harvey, Henton, Herod, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Milliken, Montgomery, Niblack, Odell, Porter, Reid, Teegarden, Walker, Winstandley and Woods—38.

Those who voted in the negative, were,

Messrs. Buckles, Dawson and Turman—3.

So the bill was passed notwithstanding the objections of the Governor.

On motion, by Mr. Knowlton,
The Senate adjourned.

THURSDAY MORNING, Jan. 9, 1851.

The Senate met.

The Journal of the preceding day was read.

On motion by Mr. Teegarden,

A petition of citizens of Laporte county in reference to amending railroad charters was taken from the table and referred to the committee on Corporations.

On motion by Mr. Ellis,

A petition of 600 citizens of Chicago, on the subject of a railroad charter, was taken from the table and referred to the committee on Corporations.

Mr. Henton, from a select committee, submitted the following report:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Miami county praying for the repeal of certain parts of sections 54 and 55, of article 5, of the revised statutes, have had the same under consideration and have directed me to report the accompanying bill, and respectfully recommend its passage:

No. 53. A bill to amend section 54 and 55, article 5, of the revised statutes of 1843.

Which was read a first time and passed to a second reading.

The resolution of the House in reference to the election of United States Senator was taken up.

Mr. Buckles moved to lay the resolution on the table;

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Buckles, Dawson, Defrees, Dunn, Eddy, Ellis, Evans, Goodman, Graham, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, Miller, Milliken, Reid, and Turman—21.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Brugh, Cravens, Day, Delevan, English, Garver, Hamrick, Hardin, Henton, Herod, Holloway, Logan, McCarty, Mickle, Montgomery, Niblack, Odell, Porter, Sleeth, Teegarden, Walker, Winstandley, and Woods—26.

So the resolution was not laid upon the table.
The question then being on the amendment as amended;
The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Athon, Berry, Brugh, Cravens, Day, Delevan, English, Garver, Hamrick, Hanna, Hardin, Henton, Herod, Holloway, James, Logan, McCarty, Mickle, Niblack, Odell, Porter, Sleeth, Teegarden, Walker, Winstandley, and Woods—28.

Those who voted in the negative were,

Messrs. Allen, Buckles, Dawson, Defrees, Dunn, Eddy, Ellis, Evans, Goodman, Graham, Harvey, Hunt, Kinnard, Knowlton, Marshall, Miller, Milliken, Montgomery, Reid, and Turman—20.

So the amendment as amended was adopted.

Mr. Hanna moved to reconsider the vote just taken on the adoption of the amendment.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Buckles, Dawson, Defrees, Dunn, Eddy, Ellis, Evans, Goodman, Graham, Hamrick, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, McCarty, Miller, Milliken, Montgomery, Reid, and Turman—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Berry, Brugh, Cravens, Day, Delevan, English, Garver, Hardin, Henton, Herod, Holloway, Logan, Mickle, Niblack, Odell, Porter, Sleeth, Teegarden, Walker, Winstandley, and Woods—24.

There being a tie vote, the President decided in the affirmative.

Mr. Porter moved to reconsider the vote adopting the 11th in room of the 10th;

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Defrees, Dunn, Eddy, Ellis, Evans, Goodman, Graham, Hamrick, Hanna, Harvey, Hunt, Kinnard, Knowlton, Marshall, McCarty, Miller, Milliken, Montgomery, Reid, and Turman—20.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Day, Delevan, English, Garver, Hardin, Henton, Herod, Holloway, Logan, Mickle, Niblack, Odell, Porter, Sleeth, Teegarden, Walker, Winstandley, and Woods—27.

So the vote was not reconsidered.

The question being on the adoption of the amendment as amended,

It was adopted.

The question then being on concurring in the resolution of the House, with the amendment of the Senate,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Day, Delevan, English, Garver, Hamrick, Hardin, Henton, Herod, Holloway, Logan, McCarty, Mickle, Niblack, Odell, Porter, Reid, Sleeth, Teegarden, Turman, Walker, Winstandley, and Woods—29.

Those who voted in the negative were,

Messrs. Buckles, Dawson, Defrees, Dunn, Eddy, Ellis, Evans, Goodman, Graham, Hanna, Harvey, Hunt, Kinnard, Knowlton, Marshall, Miller, Milliken, and Montgomery—18.

So the Senate concurred.

Mr. Milliken submitted the following resolution:

Resolved, That the committee on Agriculture be instructed to report a bill establishing a board of Agriculture, whose duty shall be to organize a State Agricultural Society.

Which was adopted.

Mr. Ellis introduced

No. 54. A Joint Resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana.

Was read a first time; the rules suspended, the joint resolution read a second time; the rules further suspended, the joint resolution read a third time and passed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate:

No. 14. "An act to abolish the office of Auditor in the county of Ohio,"

Without amendment.

Mr. Day introduced the following bill:

No. 55. A bill to incorporate the Columbia, Oswego and Leeburgh Plank Road Company.

Which was read a first time, and

On motion by Mr. Day,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

ORDERS OF THE DAY.

No. 13. Bill of the Senate to amend sections 456 and 457 of chapter 30, article 17, of the Revised Statutes of 1843, as to renting or loaning of real estate by executors, administrators and guardians.

Was read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 47. A bill to incorporate the Ayres University.

Was read a second time, and ordered to be engrossed for a third reading.

No. 48. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

Was read a second time, and ordered to be engrossed for a third reading.

No. 49. A bill relative to pleadings in suits at law.

Was read a second time, and

On motion,

Referred to the Judiciary committee.

No. 50. A bill to incorporate the Liberty and Miami Railroad Company.

Was read a second time, and

On motion,

Referred to the committee on Corporations.

BILLS OF THE HOUSE ON SECOND READING.

No. 11. A bill requiring the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named.

Was read a second time, and

On motion,

Referred to the Judiciary committee.

No. 18. A bill entitled "an act fixing the Salary of the Auditor of the county of Owen."

Was read a second time, and ordered to a third reading.

No. 22. A bill to locate a State road in the counties of Kosciusko and Wabash;

Was read a second time and ordered to a third reading.

No. 23. A bill entitled an act authorizing the Commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county;

Was read a second time and ordered to a third reading.

No. 25. A bill to open an alley in the town of Perrysville, in the county of Vermillion;

Was read a second time and passed to a third reading.

No. 17. A bill to repeal an act therein named;

Was read a second time, and

On motion,

Referred to the Judiciary committee.

No. 26. A bill to revive the 61st section of an act entitled, "an act to establish certain State roads therein named and for other purposes," approved February 18th, 1839;

Was read a second time and passed to a third reading.

No. 27. A bill to repeal an act entitled, "an act relative to overseers of the poor," approved January 15th, 1844, so far as relates to the county of Clay;

Was read a second time and passed to a third reading.

No. 28. A bill to revive a certain act therein named,

Was read a second time and passed to a third reading.

No. 29. A bill to repeal an act therein named;

Was read a second time and passed to a third reading.

No. 33. A bill to authorize county auditors to appoint deputies;

Was read a second time, and

On motion by Mr. Reid,

Referred to the Judiciary committee.

No. 36. A bill to extend the time of holding courts in the county of Tipton;

Was read a second time, and

On motion by Mr. Buckles,

Referred to the Judiciary committee.

The President laid before the Senate the annual report of the Trustees of the Indiana Institute for the Education of the Blind;

Which,

On motion by Mr. Winstandley,

Was laid upon the table and 500 copies ordered to be printed for the use of the Senate, and 500 copies for the use of the Institution.

Leave being granted,

Mr. Ellis introduced a petition of 800 or 900 citizens of Michigan for a railroad;

Which,

On motion by Mr. Ellis,

Was referred to the committee on Corporations.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 67. An act to change the name of the town of Rochester, in Franklin county, Indiana, to Cedar Grove.

No. 70. An act to extend the time of the February and May terms of the Laporte Probate Court.

In which the concurrence of the Senate is respectfully requested.

Bill No. 67, contained in the message, was read a first time and passed to a second reading.

Also, No. 70, contained in the message, was read a first time, the rules suspended, the bill read a second time, the rules further suspended, and the bill read a third time and passed.

On motion by Mr. Hamrick,

Bill No. 212 was taken up.

No. 212. A bill for the relief of certain persons therein named, in Warren county.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Cravens, Dawson, Day, Delevan, Dole, Dunn, English, Evans, Graham, Hamrick, Henton, Herod, Holloway, Kinnard, Knowlton, Marshall, Milliken, Montgomery, Niblack, Odell, Sleeth, Teegarden, Turman, Walker, Winstandley, and Woods—31.

Those who voted in the negative were,

Messrs. Athon, Berry, Defrees, Eddy, Ellis, Goodman, Harvey, Hunt, James, and Mickle—10.

So the bill passed.

Leave being granted,

Mr. Reid introduced the following resolution:

Resolved, That the Judiciary committee be instructed to inquire

whether there are any laws now in force in this State making it a criminal offence to attempt to burn any dwelling house, &c., or whether a person aiding and abetting the commission of a crime in another county than the one in which the offence is committed is liable to punishment, and report by bill or otherwise.

Which was adopted.

On motion by Mr. Harvey,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

On motion by Mr. Milliken,

The vote taken on concurring in the resolution of the House providing for the election of a Warden of the State Prison was reconsidered.

On motion by Mr. Milliken,

The Senate then concurred in the resolution of the House.

Mr. Holloway asked and obtained leave to make the following report:

MR. PRESIDENT:

The select committee to which was referred a petition for a State road on the line dividing the counties of Wayne and Randolph, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 56. A bill to locate a State road on the line dividing Wayne and Randolph counties.

Which was read a first time and passed to a second reading.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills thereof:

No. 6. An act in relation to the assessment and collection of a specific road tax in Deercreek township, in Cass county.

No. 7. An act for the relief of the inhabitants of Congressional township No. 25, north of range No. 2 east, in Cass county.

No. 19. An act to change the name of Melissa Jane Gillespie to that of Melissa Jane Blair.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendment of the Senate to the resolution of the House providing for the election of a United States' Senator.

Mr. English asked and obtained leave to introduce the following bill:

No. 57. A bill to pay counsel in certain cases.

Which was read a first time, and,

On motion by Mr. English,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time, and passed.

On motion by Mr. Miller,

The Senate adjourned.

FRIDAY MORNING, January 10, 1851.

The Senate met.

The Journal of the preceding day was read.

PETITIONS INTRODUCED.

By Mr. Defrees:

A petition of John Fitzpatrick and others;

Which was,

On motion by Mr. Defrees,

Referred to the committee on Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Herod, from the Judiciary committee;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 44, to authorize the Auditor of Tippecanoe county to sell certain surplus revenue lands, and also the petition of Levi Jennings, upon the same subject have considered the same and have come to the conclusion that it is inexpedient to legislate upon the subject and recommend that said bill be indefinitely postponed.

Which was concurred in and the bill indefinitely postponed.

By Mr. Reid, from the Judiciary committee;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 17, being a bill for the relief of the stockholders of railroad, plank road and turnpike road companies, declaratory of the law governing special subscriptions to the capital stock of said companies, have had the same under consideration and request me to report that they understand the law to be now as declared in the bill, to wit: That all conditional subscriptions to the capital stock of said companies, whether in money, real estate or materials, or for any special line of road, when reduced into writing by the person subscribing in the stock books of the company, are only binding on the party so subscribing according to the terms and conditions of said subscription, and being so it is inexpedient to legislate further on the subject and that the bill aforesaid be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred the resolution inquiring into the expediency of enacting some law to prevent or discourage free negroes or free persons of color from hereafter immigrating into this State and also making some provision by law to induce and encourage those now residents of this State to remove therefrom, have instructed me to report that it is inexpedient to legis-

late on the subject at this time and ask to be discharged from the further consideration of the subject.

Which was concurred in.

By Mr. Winstandley ;

MR. PRESIDENT :

The committee on Corporations, to whom was referred bill of the Senate No. 42, a bill to amend an act entitled "an act to incorporate the Junction Railroad," have had the same under consideration and have directed me to report the same back without amendment and recommend its passage.

When,

On motion,

The rules were suspended, the bill read a third time and passed.

Mr. Sleeth, chairman of the committee on the Benevolent Institutions of the State, laid before the Senate the sixth annual report of the Commissioners and second annual report of the Medical Superintendent of the Indiana Hospital for the Insane ;

Which was laid upon the table and 500 copies ordered to be printed for the use of the Senate and 500 copies for the use of the Asylum.

By Mr. Dunn, from the judiciary committee ;

MR. PRESIDENT :

The Judiciary committee, to whom was referred House bill No. 3, being a bill for the relief of John Henry Lewis Gerke and Frederick Myers, have had the same under consideration, and have directed me to report the same to the Senate with an amendment and recommend its passage.

Amend as follows: Add at the conclusion of the first section, "upon said original certificate No. 1434, being surrendered to such Secretary of State."

Which report was concurred in, and the amendment adopted.

On motion,

The rules suspended, the bill read a third time, and passed.

By Mr. Knowlton, from a select committee ;

MR. PRESIDENT :

The select committee, to whom was referred the Senate bill No. 52, a bill to incorporate the Sparta and Napoleon Turnpike company,

have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

When,

On motion,

The rules were suspended, the bill read a third time and passed.

By Mr. Allen, from a select committee ;

MR. PRESIDENT :

The select committee, to whom was referred the petition of T. D. Austin, E. W. Lindsay *et al.*, in relation to vacating the streets and alleys in the town of Fairview, in Montgomery county, have had the same under consideration and directed me to report the following bill, and recommend its passage:

No. 57. A bill to vacate the streets and alleys in the town of Fairview, Montgomery county ;

Which was read a first time, the rules suspended, the bill read a second time, the rules being further suspended, the bill was read a third time and passed.

By Mr. Delevan, from a select committee ;

MR. PRESIDENT :

The select committee, to whom was referred House bill No. 37, entitled a bill in relation to the Board of Commissioners of Morgan county, have had that subject under consideration and directed me to report it back to the Senate and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

By Mr. Athon, from a select committee ;

MR. PRESIDENT :

The select committee, to whom was referred the petition of Sophia Amick, praying for a divorce, have had the same under consideration, have instructed me to report the accompanying bill, and respectfully ask its passage, and ask to be discharged from the consideration thereof.

No. 58. A bill to dissolve the bands of matrimony between Henry Amick and Sophia Amick.

Which was read a first time and passed to a second reading.

BILLS INTRODUCED.

By Mr. Hamrick :

No. 59. A bill to amend the act to incorporate the trustees of the Indiana Asbury University, approved January 10, 1837.

Which was read a first time, and

On motion by Mr. Hamrick,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Hamrick,

The rules were suspended, the bill read a third time and passed.

By Mr. Mickle:

No. 60. A bill to amend section one, chapter 26, of the Revised Statutes of 1843, to reduce the toll for grinding and bolting grain.

Which was read a first time, and

On motion by Mr. Mickle,

The rules were suspended, the bill read a second time, and referred to the committee on Agriculture.

By Mr. Reid:

No. 61. A bill for the relief and benefit of certain turnpike companies therein named.

Which was read a first time, and

On motion by Mr. Reid,

The rules were suspended, the bill read a second time, and

On further motion,

Referred to the committee on Corporations.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 47. A bill to incorporate the Ayres University.

Was read a third time and passed.

No. 48. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

Was read a third time and passed.

HOUSE BILLS ON THIRD READING.

No. 18. A bill entitled "an act fixing the salary of the Auditor of the county of Owen."

Was read a third time, and

On motion by Mr. Dunn,

Referred to the Judiciary committee.

No. 22. A bill to locate a state road in the counties of Kosciusko and Wabash.

Was read a third time and passed.

No. 23. A bill entitled an act authorizing the commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county.

Was read a third time and passed.

No. 25. A bill to open an alley in the town of Perrysville, in the county of Vermillion.

Was read a third time and passed.

No. 26. A bill to revive the 61st section of an act entitled "an act to establish a certain state road therein named, and for other purposes, approved February 18, 1839."

Was read a third time and passed.

No. 27. A bill to repeal an act entitled "an act relative to the overseers of the poor, approved January 15, 1844," so far as relates to the county of Clay.

Was read a third time and passed.

No. 28. A bill to revive a certain act therein named.

Was read a third time, and

On motion,

Referred to a select committee, consisting of Messrs. Graham, James, and Niblack.

No. 29. A bill to repeal an act therein named.

Was read a third time,

When,

Mr. Graham moved to strike out all after the word passage in the last section;

Which motion was agreed to, and the bill passed.

No. 67. A bill to change the name of the town of Rochester, in Franklin county, Ind., to Cedar Grove.

Was read a second time, and ordered to a third reading.

SENATE BILLS ON SECOND READING.

No. 53. A bill to amend sections 54 and 55, article 5, of the Revised Statutes of 1843.

Was read a second time, and,

On motion,

Referred to a select committee consisting of Messrs. Buckles, Henton and Walker.

No. 56. A bill to locate a State road on the line dividing Wayne and Randolph counties.

Was read a second time and ordered to be engrossed.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 20. An act to abolish the offices of School Commissioner and County agent in Brown county.

No. 34. An act to extend the powers of the Lawrenceburgh and Upper Mississippi Railroad Company.

No. 40. An act to incorporate the Athenian Society of Indiana University.

No. 41. An act to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

No. 42. An act to legalize the election of the county commissioners of the county of Owen.

No. 56. An act to authorize the sale of school lands in Perry county.

No. 57. An act directing the Auditor of State to pay over to the Treasurer of Ripley county certain funds therein named.

No. 83. An act to provide for the return of the vote on the school law to the office of the Secretary of State.

No. 91. An act to correct a misprint and supply an omission in an act entitled "an act directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie canal lands," approved January 21, 1850.

No. 92. A joint resolution giving the right of purchase to the United States of a site for the erection of a Marine Hospital at Evansville, Indiana.

In which the concurrence of the Senate is respectfully requested.

Bill No. 20 contained in the message, was taken up, read a first time; the rules suspended, the bill read a second time, and,

On motion by Mr. Adams,

Referred to a select committee consisting of Messrs. Adams, Hardin and Herod.

Bill No. 34 contained in the message, was read a first time,

On motion by Mr. Cravens,

The rules suspended, the bill read a second time, and referred to the committee on Corporations.

Bill No. 40 contained in the message, was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

Bills No. 41, 57 and 91 contained in the message, were severally read a first time, and passed to a second reading.

Bill No. 42 contained in the message, was read a first time,

On motion by Mr. Alexander,

The rules suspended, the bill read a second time, and referred to the committee on Elections.

No. 56 contained in the message, was read a first time,

On motion by Mr. Graham,

The rules suspended, the bill read a second time, and referred to the committee on Education.

Bill No. 83 contained in the message, was read a first time,

On motion by Mr. McCarty,

The rules suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 92 contained in the message, was read a first time,

On motion by Mr. Winsteadley,

The rules suspended, the bill read a second time, and referred to the committee on Federal Relations.

Mr. Mickle asked and obtained leave to introduce the following bill:

No. 62. A bill to amend the 29th section of the act to incorporate the Fort Wayne and Columbia Plank Road Company.

Which was read a first time,

On motion,

The rules suspended, the bill read a second time; the rules further suspended, the bill read a third time and passed.

Leave being granted,

Mr. Winsteadley submitted the following resolution:

Resolved, That the committee on Benevolent Institutions inquire into the expediency of changing the practice or rule of the trustees of the Hospital for the Insane, by which persons are excluded from the benefits of said institution who are pronounced incurable; and whether any change is necessary in the law establishing said institution in order to give the trustees authority to receive patients who are supposed to be incurable.

Which was adopted.

On motion by Mr. Niblack,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

On motion,

The Senate adjourned.

SATURDAY MORNING, January 11, 1851.

The Senate met.

The Journal of the preceding day was read.

REPORTS OF COMMITTEES.

By Mr. Harvey, from the Judiciary committee:

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill of the House No. 38, entitled, "an act to repeal an act to restrict the grand jury in Franklin county in their sessions," approved January 15th, 1850, have considered the same, and instructed me to report said bill back to the Senate without amendment, and recommend its passage;

Which was concurred in, the rules suspended, read a third time and passed.

Mr. Harvey also submitted the following report:

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred so much of the Governor's message as relates to the suit of the Vincennes University against the State of Indiana, have had that subject under consideration, and instructed me to report the accompanying bill and recommend its passage. And said committee ask to be discharged from the further consideration thereof.

No. 63. A bill in relation to the suit of the Vincennes University against the State of Indiana.

Which was read a first time and passed to a second reading.

By Mr. Adams, from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 20, in relation to abolishing the offices of School Commissioner and County Agent in Brown county, have had the same under consideration, and directed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.
By Mr. Dawson, from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of N. Jones and other citizens of DeKalb and Allen counties, in relation to a State road, have had the same under consideration, and have instructed me to report the following bill in accordance with the prayer of said petition, and respectfully recommend its passage:

No. 64. A bill locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes.

Which was read a first time, the rules suspended, the bill read a second time and ordered to be engrossed.

By Mr. Buckles, from the Judiciary committee:

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 9, authorizing the appointment of an administrator by the Probate Court of Hamilton county, have had the same under consideration, and directed me to report it back to the Senate with the following preamble, and when said preamble is adopted, recommend its passage:

WHEREAS, John S. Massey, late of Hamilton county, deceased, in his lifetime purchased of Stephen Carey a certain promissory note, which said note the said deceased, in his lifetime, sold and transferred by endorsement to Francis B. Cosswell and Jesse Lutz; and

WHEREAS, The said Cosswell and Lutz, after the death of the said Massey, sued the makers of the said note, and upon a plea of failure of consideration, judgment was rendered against said Cosswell and Lutz; and

WHEREAS, By virtue of the statute law of 1848, the widow of said deceased was put in possession of all the property of her said husband without the appointment of an administrator; and

WHEREAS, By the existing laws the said note cannot be recovered by a suit at law on the original payer thereof.

Which was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Garver:

Resolved, That the Senate will, the House of Representatives concurring, proceed to the election of a Trustee of the Wabash and Erie canal, on the part of the State, on Tuesday next at 10 o'clock, A. M.

Which was adopted.

BILLS INTRODUCED.

By Mr. Knowlton:

No. 65. A bill to incorporate the Sparta and Versailles Turnpike Company;

Which was read a first time, and

On motion by Mr. Knowlton,

The rules were suspended, the bill read a second time, and

On motion by Mr. Milliken,

Was referred to a select committee consisting of

Messrs. Milliken, Knowlton, and Woods.

By Mr. Brugh:

No. 66. A bill to incorporate the Winchester and Greenville Railroad Company;

Which was read a first time, and

On motion by Mr. Brugh,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

Mr. Hardin presented the petition of John H. Cutter, praying the issue of a new State bond in lieu of one destroyed by fire;

Which,

On motion by Mr. Hardin,

Was referred to the committee on Claims.

Mr. Reid presented the remonstrance of certain citizens of Union county against extending the limits of the corporation of the town of Liberty;

Which,

On motion by Mr. Reid,

Was referred to the committee on Corporations.

ORDERS OF THE DAY.

Bills on Third Reading.

No. 56. A bill (of the Senate) to locate a State road on the line dividing Wayne and Randolph counties;

Was read a third time and passed.

No. 37. A bill (of the House) authorizing the Board of Commissioners of the county of Morgan to make additional allowances to the Auditor of said county;

Was read a third time and passed.

No. 67. A bill (of the House) to change the name of the town of Rochester, in Franklin county, Indiana, to Cedar Grove;

Was read a third time and passed.

BILLS ON SECOND READING.

No. 58. A bill to dissolve the bands of matrimony between Henry Amick and Sophia Amick;

Was read a second time,

When,

Mr. Harvey moved to indefinitely postpone the bill,

When,

Mr. Athon moved to lay the bill on the table;

Which prevailed.

No. 41. A bill of the House to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land, in said county;

Was read a second time, and passed to a third reading.

No. 57. A bill of the House directing the Auditor of State to pay over to the treasurer of Ripley county certain funds therein named;

Was read a second time, and

On motion,

Referred to a select committee, consisting of Messrs. Alexander, Knowlton and Harvey.

No. 91. A bill of the House to correct a misprint, and supply an omission in an act entitled "an act directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie canal lands," approved January 21st, 1850.

Was read a second time, and passed to a third reading.

The following message was received from the House of Representatives, by Mr. Bowes their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate:

No. 24. An act to abolish the office of School Commissioner of the county of Morgan, with an amendment thereto, in which the concurrence of the Senate is respectively requested;

Which amendment was concurred in by the Senate.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof:

No. 50. An act to repeal an act entitled, "an act to incorporate the LaGrange Phalanx," approved Jan. 13, 1845.

No. 63. An act relative to the purchase of books, made by the Governor, for the use of the convicts in the State Prison, and for other purposes.

No. 82. An act to amend section 13, of an act to increase and extend the benefits of Common Schools in the county of Noble, and for other purposes.

No. 85. An act for the relief of township clerks in the county of Posey.

No. 86. An act authorizing Cyrus Taber and Allen Hamilton to build a dam across the Wabash river in Cass county.

No. 90. An act to enable the qualified voters of school district No. 7, township 36, range 3 west, in Laporte county, to levy a tax in said district, for the purpose of building a school house.

In which the concurrence of the Senate is respectfully requested. Bills contained in the preceding message was taken up.

No. 50. Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

Referred to the Judiciary committee.

No. 63. Was read a first time, and

Passed to a second reading.

No. 82. Was read a first time, and

On motion by Mr. Reid,

The rules were suspended, the bill read a second time, and

On further motion,

Referred to the committee on Education.

No. 85. Was read a first time, and passed to a second reading.

No. 86. Was read a first time, and passed to a second reading.

No. 90. Was read a first time, and passed to a second reading.

Mr. Teegarden made the following report from the committee on Enrolled Bills:

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate No. 8, 10, 14, 34 and 37, with the engrossed and find them correctly enrolled.

The following message was received from the House of Representatives, by Mr. Bowes their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate, that the House have passed the following enrolled bill of the Senate:

No. 212. An act for the relief of certain persons therein named, in Warren county, the Governor's objection to the contrary notwithstanding, which I am directed to return to the Senate.

Also, the following message was received from the House of Representatives, by Mr. Bowes their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives instantan, to proceed to the election of a United States Senator, and that seats be provided on the right of the Speaker's Chair.

Which was reciprocated by the Senate.

The Senate then repaired in a body, preceded by their President, to the Hall of the House of Representatives, and took the seats prepared for them, when both houses of the General Assembly, as a convention, proceeded by a joint viva voce vote to the election of a Senator for the State of Indiana to the Congress of the United States, to serve as such for the term of six years from and after the third day of March next exclusive, it being to fill the vacancy to happen by the expiration of the present term of service of the Hon. Jesse D. Bright.

Those who voted for Jesse D. Bright on the part of the Senate were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Delevan, Eddy, English, Garver, Goodman, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Logan, Mickle, Miller, Milliken, Niblack, Reid, Sleeth, Turman, Walker, Winsteadley, and Wood.

And those on the part of the House were,

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Humphreys, Hutchinson, Jackson, Lewis, Lindsey, Marquess, Marvin, McClelland, McKim, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Rice, Riley, Ross, Shook, Shull,

Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—99.

Those who voted for Charles Dewey on the part of the Senate were,

Messrs. Day, Defrees, Dole, Dunn, Hamrick, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Montgomery, Odell, Porter, and Teegarden.

And those on the part of the House were,

Messrs. Bulla, Clark, Coburn, Conner, Cowan, Edwards, Fleece, Goodman, Hammond, Haywood, Hubbard, Isom, Johnson, Jones, Jordan, Lank, Lawrence, Marshall, McCarty, Millikan, Moore, Morrow, Peckenpugh, Pratt, Reynolds, Robbins, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, and Usher—46.

Jesse D. Bright received	- - - - -	99 votes.
Charles Dewey received	- - - - -	46 votes.

Jesse D. Bright having received a majority of all the votes given for Senator as aforesaid, was by the President of the Senate, acting as President of the convention, declared duly elected a Senator for the State of Indiana, to the Congress of the United States, to serve as such for the term of six years, from and after the first day of March exclusive, in the year eighteen hundred and fifty-one.

The President of the convention then declared the same adjourned without day.

The Senate then returned to their chamber,

When, on leave,

Mr. Harvey introduced the following resolution:

Resolved, That when the Senate adjourn, it adjourn to meet on Monday next.

Which was adopted.

Mr. Milliken submitted the following resolution:

Resolved, That the State Printer be requested to furnish the Senate at as early a day as practicable, the copies of the Auditor's report in relation to the enumeration of the adult white male inhabitants of the State, ordered to be printed for the use of the Senate.

Which was adopted.

On motion by Mr. Mickle,
The Senate adjourned.

MONDAY MORNING, Jan. 13, 1851.

Senate met.

The President being absent,
On motion by Mr. Reid,
Mr. English was called to the chair.
The Journal was read.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Adams;

The memorial of seventy citizens of Brown county on the subject of temperance,

Which,

On motion by Mr. Adams,

Was referred to the committee upon that subject.

By Mr. Allen;

A petition from sundry citizens of Putnam county on the subject of temperance.

Which,

On motion by Mr. Allen,

Was referred to the committee upon that subject.

By Mr. Dawson:

A petition and memorial of citizens of DeKalb county on the subject of temperance.

Which,

On motion by Mr. Dawson,

Was also referred to the committee upon that subject.

By Mr. Sleeth;

A petition of sundry citizens of Shelby county, asking a repeal of the law declaring Con's creek a public highway.

Which,

On motion by Mr. Sleeth,

Was referred to a select committee, consisting of Messrs. Sleeth, Adams and Milliken.

By Mr. Milliken,

Memorials on the subject of the Louisville and Portland Canal;

Which,

On motion by Mr. Milliken,

Was referred to the committee on Federal Relations.

By Mr. Dawson,

A petition of 180 persons of DeKalb county, on the subject of change of venue in criminal cases;

Which,

On motion by Mr. Dawson,

Was referred to a select committee, consisting of Messrs. Dawson, Mickle and Berry.

The following message was received from the House of Representatives, by Mr. Bowes their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills of the Senate:

No. 3. An act to repeal section one of an act, approved January 19, 1850, of an act entitled an act to amend an act entitled an act, to incorporate the city of Indianapolis, approved January 27, 1848,

No. 4. An act to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846.

No. 11. An act to authorize the extension of the Newcastle and Richmond Railroad.

No. 21. An act to amend an act entitled an act to incorporate the town of Patriot in Switzerland county, and to legalize the action of the collector of said town.

No. 31. An act to change the name of Nancy Ann Kelso of Du-bois county to Nancy Ann McMahan.

No. 33. An act to legalize the assessment of taxes for school purposes in district No. 7, in township thirty-three north of range 14 east, in DeKalb county.

Without amendment.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the resolution of the Senate to proceed to the election of a Trustee of the Wabash and Erie Canal on the part of the State, on Tuesday next at 10 o'clock A. M., without amendment.

REPORTS FROM COMMITTEES.

By Mr. Milliken;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 34, have had the same under consideration and directed

me to report it back to the Senate with one amendment, and on the adoption of which, recommend its passage;

No. 34. A bill of the House, to extend the powers of the Lawrenceburgh and Upper Mississippi Railroad Company.

Amend by adding,

SEC. 3. This act shall be in force from and after its passage.

Which report was concurred in, the amendment adopted, and the bill ordered to be engrossed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 36, entitled an act to incorporate the Cicerotown and Kirkland Plank Road Company, have had the same under consideration, and have instructed me to report the bill back without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 50, an act entitled an act to incorporate the Liberty and Miami Railroad Company, have had the same under consideration, and have directed me to report the bill back with one amendment, after the adoption of which they recommend its passage.

Amend section second by striking out the word "counties."

Which report was concurred in, the amendment adopted, and the bill ordered to be engrossed.

By Mr. Marshall, from a select committee;

MR. PRESIDENT:

The select committee to which was referred the petition of the Sheriff of Bartholomew county, praying a change of the time of holding the circuit court of said county, have had that subject under consideration, and directed me to report the following bill:

No. 67. A bill to alter the time of holding the Circuit courts in certain counties in the 3d Judicial Circuit;

Which was read a first time, the rules suspended,

The bill read a second time, the rules further suspended,

The bill read a third time, and passed.

By Mr. Graham, from a select committee;

MR. PRESIDENT:

The select committee to which was referred the petition of William Elder and other citizens of Perry county, have had the same under consideration, and have directed me to report by bill, and recommend its passage.

No. 68. A bill to legalize a certain deed of conveyance heretofore made and executed by the county Auditor of Perry county to William Elder.

Which was read a first time and passed to a second reading.
Also, by Mr Graham :

MR. PRESIDENT:

The select committee to which was referred bill of the House No. 28, an act to revive a certain act therein named, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

When,

On motion,

The rules were suspended, the bill read a third time and passed.
Mr. Niblack submitted the following resolution:

Resolved, That the committee on Benevolent Institutions be instructed to inquire into the expediency of enacting a system of *registration laws*, providing for the *registration* hereafter of the *births*, *marriages*, and *deaths* of the inhabitants of this State, and report by bill or otherwise.

Which was adopted.

Mr. Reid submitted the following resolution:

Resolved, That the committee on Elections be instructed to inquire into the propriety of amending the election law governing general elections, so as to give greater security to the elector, prevent fraudulent voting, and to compel the more punctual return of Inspectors, and Judges, under direct penalty; said committee to report by bill or otherwise.

Which was adopted.

Mr. Athon asked and obtained leave to introduce the following bill:

No. 69. A bill relative to the Jeffersonville Railroad Company.

Which was read a first time, and

On motion by Mr. Athon,

The rules were suspended, the bill read a second time, and

On further motion,

Referred to a select committee, consisting of Messrs. Athon, Herod, and Cravens.

Mr. Milliken on leave introduced the following resolution:

Resolved, That Mr. Meredith, the district Marshal, be requested to furnish the Senate with an abstract of the census of this State for 1850.

Mr. Woods offered the following amendment: Strike out after the word "resolved," and insert, "That the Secretary of State be requested to furnish the Senate with a copy of the aggregate number of the inhabitants of each county as furnished by the U. S. Marshal."

Mr. Reid moved to lay the resolution and amendment on the table.

Which motion did not prevail.

Mr. Garver moved to lay the amendment on the table.

Which motion prevailed.

Mr. Cravens moved to lay the resolution on the table,

Which motion did not prevail.

Mr. Athon offered the following amendment:

Amend by striking out the words "the Marshal of the State," and insert the proper authorities of the State.

Mr. Holloway moved to lay the amendment on the table,

Which motion prevailed.

Mr. Hanna offered the following amendment:

"Provided, that he will furnish the same without charge."

Mr. Montgomery moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Buckles, Dole, English, Evans, Garver, Holloway, Hunt, Kinnard, Montgomery, Niblack, Porter, Teegarden, and Turman—14.

Those who voted in the negative were,

Messrs. Alexander, Athon, Brugh, Cravens, Dawson, Day, De-frees, Delevan, Dunn, Eddy, Goodman, Hanna, Henton, Herod, Knowlton, Logan, Marshall, McCarty, Mickle, Miller, Milliken, Odell, Reid, Sleeth, Walker, Winstandley, and Woods—27.

So the amendment was not laid upon the table.

The question being on the adoption of the amendment,
It was decided in the affirmative.

Mr. Evans offered the following amendment:

Amend by adding after the word "abstract," the following:

"Containing the number of inhabitants, statistics of agriculture, manufactures, and social relations."

Which was not adopted.

Mr. Dole moved to lay the resolution on the table,

Which motion prevailed.

On motion the rules were suspended, and the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the House will, the Senate concurring therein, go into the election of President Judge of the 6th Judicial circuit, on Tuesday the 14th of January, at 3 o'clock, P. M.

In which the concurrence of the Senate is respectfully requested.

The question being on concurring in the resolution of the House,

Mr. Dunn offered the following amendment:

Strike out the "14th," and insert "this day."

Mr. Cravens moved to lay the amendment on the table.

Which motion did not prevail.

Mr. Adams moved that the Senate adjourn;

Which was decided in the negative.

Mr. Niblack moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative, were,

Messrs. Adams, Allen, Athon, Brugh, Buckles, Cravens, Delevan, English, Evans, Garver, Goodman, Hanna, Henton, Hunt, James, Miller, Milliken, Niblack, Walker, Winstandley and Woods.—21.

Those who voted in the negative, were,

Messrs. Alexander, Dawson, Day, Defrees, Dole, Dunn, Eddy, Hamrick, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden and Turman.—23.

So the amendment was not laid on the table.

Mr. Miller moved that the Senate adjourn.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative, were,

Messrs. Adams, Athon, Buckles, Delevan, English, Evans, Garver, Goodman, Hanna, Hunt, Mickle, Miller and Winstandley.—13.

Those who voted in the negative, were,

Messrs. Alexander, Brugh, Cravens, Dawson, Day, Defrees, Dole, Dunn, Eddy, Hamrick, Henton, Herod, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Milliken, Montgomery, Niblack, Odell, Porter, Reid, Sleeth, Teegarden, Turman, Walker and Woods.—30.

So the Senate did not adjourn.

Mr. Reid offered the following amendment:

Strike out "Tuesday," and insert "Wednesday at 2 o'clock, P. M."

The ayes and noes being demanded by two Senators, were ordered,

Those who voted in the affirmative, were,

Messrs. Athon, Brugh, Buckles, Cravens, English, Evans, Garver, Goodman, Hanna, Hunt, Mickle, Reid, Winstandley and Woods.—14.

Those who voted in the negative, were,

Messrs. Adams, Alexander, Dawson, Day, Defrees, Delevan, Dole, Dunn, Eddy, Hamrick, Henton, Herod, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Miller, Milliken, Montgomery, Niblack, Odell, Porter, Sleeth, Teegarden, Turman and Walker.—29.

So the amendment was not adopted.

Mr. Dawson moved the previous question.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative, were,

Messrs. Adams, Athon, Cravens, Dawson, Delevan, English,

Evans, Garver, Goodman, Hanna, Henton, Hunt, James, Miller, Niblack, Winstandley and Woods—17.

Those who voted in the negative, were,

Messrs. Alexander, Brugh, Buckles, Day, Defrees, Dole, Dunn, Eddy, Hamrick, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Milliken, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, Turman and Walker—25.

So the call for the previous question was not seconded.

Mr. Garver moved that the Senate adjourn.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative, were,

Messrs. Athon, Buckles, Cravens, Delevan, English, Evans, Garver, Goodman, Hanna, Henton, Hunt, Miller, Milliken, Niblack and Winstandley—15.

Those who voted in the negative, were,

Messrs. Adams, Alexander, Brugh, Dawson, Day, Dole, Dunn, Eddy, Hamrick, Herod, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, Turman, Walker and Woods—27.

So the Senate refused to adjourn.

When,

On motion by Mr. Woods,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. English in the chair.

The question on concurring with the resolution of the House relative to the election of Judge in the 6th Judicial circuit, was taken up.

Mr. Buckles called for the previous question.

Mr. Athon moved that there be a call of the Senate,

Which was ordered,

And the absentees sent for.

On motion by Mr. Knowlton,

The further call of the Senate was suspended.

The question then being on seconding the call for the previous question,

The ayes and noes were demanded by two Senators,

Those who voted in the affirmative were,

Messrs. Adams, Athon, Allen, Berry, Buckles, Cravens, Dawson, Delevan, Eddy, English, Evans, Garver, Goodman, Graham, Hanna, Henton, Hunt, James, Mickle, Miller, Milliken, Niblack, Walker, Winstandley, and Woods—25.

Those who voted in the negative were,

Messrs. Alexander, Brugh, Day, Defrees, Dole, Dunn, Ellis, Hamrick, Harvey, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, and Turman—23.

So the call for the previous question was seconded.

The question being, shall the main question be now put,

Was decided in the affirmative.

The question being on concurring in the resolution of the House,

The ayes and noes were demanded by two Senators,

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Berry, Buckles, Cravens, Dawson, Delevan, Eddy, English, Evans, Garver, Goodman, Graham, Hanna, Hardin, Henton, Hunt, James, Mickle, Miller, Milliken, Niblack, Walker, Winstandley, and Woods—26.

Those who voted in the negative were,

Messrs. Alexander, Brugh, Day, Defrees, Dole, Dunn, Ellis, Hamrick, Harvey, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, and Turman—23.

So the resolution of the House was concurred in.

ORDERS OF THE DAY.

Bills on Third Reading.

No. 64. A bill of the Senate locating a state road on the line di-

viding the counties of Allen and DeKalb, and for other purposes.

Was read a third time, and passed.

No. 20. A bill of the House, to abolish the office of school commissioner, and county agent in Brown county.

Was read a third time and passed.

No. 41. A bill of the House to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

Was read a third time and passed.

No. 91. A bill of the House to correct and supply an omission in an act entitled, "an act directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie canal lands, approved January 21, 1850."

Was read a third time and passed.

BILLS ON SECOND READING.

No. 63. A bill in relation to the suit of the Vincennes University against the State of Indiana.

Was read a second time, when

Mr. Hanna moved to amend by inserting after the word counsel, in the first section, the names of Hon. Oliver H. Smith and George G. Dunn, which amendment was adopted; and

On motion,

The rules were suspended, the bill read a third time and passed.

No. 63. A bill of the House in relation to the purchase of books by the Governor, for the use of the convicts of the State Prison, and for other purposes.

Was read a second time, and passed to a third reading.

No. 85. A bill of the House for the relief of township clerks in the county of Posey.

Was read a second time, when

Mr. James moved to amend as follows:

Add to the end of the first section the following: "And the said several townships in said county of Perry shall be entitled to receive the same proportion of the school fund belonging to said county, at the next annual dividend thereof, as they would be entitled to receive in case the clerks of said townships respectively, had complied with the provisions of said section."

Which amendment was adopted, and ordered to be engrossed, and the bill passed to third reading.

No. 86. A bill of the House authorizing Cyrus Taber and Allen Hamilton to build a dam across the Wabash river in Cass county.

Was read a second time, when

Mr. Henton moved to indefinitely postpone the bill, when

Mr. Eddy moved to lay the bill on the table, which motion prevailed.

No. 90. A bill of the House to enable the qualified voters of school district No. 7, town 36, range 5 west, in Laporte county, to levy a tax in said district for the purpose of building a school house.

Was read a second time, and,

On motion by Mr. Reid,

Was referred to the committee on Education.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House has passed the following engrossed bill of the Senate, to wit:

No. 28. An act to incorporate the Ohio and Indiana Railroad Company.

With one amendment, in which the concurrence of the Senate is respectfully requested.

Which was taken up, and the amendment of the House was concurred in by the Senate.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 32. An act to repeal section 148, chapter 5, revised statutes 1843.

No. 62. An act to abolish the office of Superintendent of the work on the State Prison, and for other purposes.

No. 64. An act to enable the inhabitants of school district No. 8, in Congressional township No. 36, north of range No. 3 west, in Laporte county, to levy a tax sufficient to build a school house.

No. 66. An act for the benefit of common schools in Boone county.

No. 68. An act to repeal an act therein named.

No. 69. An act to reduce the fees of the Recorder of the county of Brown.

No. 71. An act to amend an act entitled "an act to incorporate the Western Plank Road Company," approved January 14, 1850.

No. 72. An act to amend section 27, chapter 7, of the revised statutes of 1843, so far as relates to the county of Greene.

No. 73. An act to amend an act entitled "an act to incorporate the White County Monticello Bridge Company," approved January 15, 1850.

No. 75. An act to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby.

No. 77. An act to vacate the town of Charleston, in Huntington county.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the preceding message was taken up.

No. 32 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

Referred to the Judiciary committee.

No. 62 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

Referred to the committee on the State Prison.

Bills Nos. 64, 68, 72, and 77 were severally read a first time, and passed to a second reading.

No. 66 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

Referred to a select committee consisting of Messrs. Garver, Montgomery and Kinnard.

No. 69 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

Referred to a select committee consisting of Messrs. Adams, Del-
evan and Porter.

No. 71 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

No. 73 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

Referred to the committee on Corporations.

No. 75 was read a first time,

On motion,

The rules suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Sleeth, Dole and Harvey.

Leave being granted,

Mr. Alexander submitted the following report:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 57, entitled "an act directing the Auditor of State to pay over to the treasurer of Ripley county certain funds therein named," have had the same under consideration, and instructed me to report said bill back to the Senate, with sundry amendments, and upon the adoption of said amendments, recommend the passage of said bill.

Add the following to the first section:

1st. And that the Auditor of State be directed also to ascertain the amount of principal and interest of congressional township fund belonging to township No. 6, north range No. 5 west, in Greene county, now in the treasury or on loan, and to pay over the said funds or securities to the officer of said county of Greene entitled to receive the same.

2nd. Strike out of the second line of the 2nd section the word "county," and insert in lieu thereof the words, "counties of Ripley and Greene respectively."

3rd. Strike out of the fourth line of the 3rd section the word "county," and insert in lieu thereof the words, "counties respectively."

Which amendments were adopted, the rules suspended, the bill read a third time and passed, when

Mr. Knowlton moved to amend the title as follows:

Amend the title by striking out the word "county," and inserting "counties." Add words "and Greene," after the word Ripley.

Which was adopted.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, to wit:

No. 47. An act to incorporate the Ayres University.

No. 59. An act to amend an act to incorporate the Trustees of the Indiana Asbury University, approved Jan. 10, 1837, without amendment.

On motion by Mr. Holloway,

The Senate adjourned.

TUESDAY MORNING, January 14, 1851.

The Senate met.

On motion by Mr. Sleeth,
Senator English was called to the chair.

PETITIONS PRESENTED.

By Mr. Day;
The petition of the inhabitants of Huntington county, on the subject of temperance.

Which,

On motion,
Was referred to the committee on that subject.

By Mr. Defrees;

The petition of citizens of Elkhart county, on the subject of temperance.

Which,

On motion,
Was referred to the committee upon that subject.

By Mr. James;

The petition of B. G. Cutter and Co., to renew a lost "Indiana State Bond."

Which was referred to the committee on Claims.

The following message was received from the House of Representatives, by Mr. Bowes their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate, to-wit:

No. 39. An act to amend the act entitled an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847, and the several acts amendatory of said act.

Without amendment.

REPORTS OF COMMITTEES.

By Mr. Niblack;

MR. PRESIDENT:

The committee on Corporations to which was referred bill of the House No. 40—entitled "An act to incorporate the Athenian Society

of Indiana University," have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and respectfully recommend its passage;

Which was concurred in.

On motion by Mr. Adams,
The rules were suspended, the bill read a third time and passed.
By Mr. Milliken;

MR. PRESIDENT:

The select committee to whom was referred bill of the Senate No. 65, have had the same under consideration, and directed me to report it back to the Senate and recommend its passage.

No. 65. A bill to incorporate the Sparta and Versailles Turnpike Company;

Which was concurred in, and the bill ordered to be engrossed.
By Mr. Hanna;

MR. PRESIDENT:

The select committee to which was referred the memorial and petition of certain citizens of Sullivan county and others, upon the subject of a Railroad, have directed me to report the following bill:

No. 70. A bill to incorporate the Wabash Railroad Company;

Which was read a first time, and

On motion,
The rules were suspended, the bill read a second time, and referred to the committee on Corporations.
By Mr. Sleeth;

MR. PRESIDENT:

The select committee to whom was referred House bill, No. 75, entitled an act to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby, have had that subject under consideration, and have directed me to report the same back to the Senate without amendment and respectfully recommend its passage.

Which was concurred in, and the bill passed to a third reading.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Reid;

No. 71. A joint resolution in favor of freedom;

Which was read a first time, the rules suspended, and the joint resolution read a second time,

When,

Mr. Cravens moved to indefinitely postpone the joint resolution,

When,

Mr. Marshall moved to lay it upon the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Buckles, Cravens, Delevan, Dole, Dunn, Eddy, Ellis, English, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Logan, Marshall, Mickle, Miller, Niblack, Odell, Sleeth, Turman, Walker, Winstandley and Woods—34.

Those who voted in the negative were,

Messrs. Dawson, Day, Defrees, Evans, Holloway, Kinnard, Knowlton, Milliken, Montgomery, Odell, Reid and Teegarden—12.

So the joint resolution was laid upon the table.

By Mr. Niblack;

No. 72. A bill in relation to the January Term, A. D. 1851, of the Probate Court of Martin county;

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. James;

No. 73. A bill to amend an act incorporating the Ohio River and Princeton Plank Road Company;

Which was read a first time, and

On motion by Mr. James;

The rules were suspended, the bill read a second time, and

Referred to the committee on Corporations.

By Mr. Knowlton;

No. 74. A bill to reduce the pay of the members of the Convention, &c.;

Which was read a first time, and

On motion by Mr. Knowlton;

The rules were suspended, the bill read a second time, when,

Mr. Miller,

Moved to amend by inserting after the words, "one dollar" the words "and fifty cents."

Mr. Ellis moved to lay the amendment on the table;

Which was decided in the negative.

The following message from the House of Representatives was received by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House instanter, to proceed to the election of a Trustee of the Wabash and Erie canal, and that seats be provided on the right of the Speaker's chair.

Which resolution was reciprocated by the Senate.

When the Senate repaired, in a body, to the Hall of the House of Representatives to proceed to the election of a Canal Trustee, Senator English in their chair, acting as President *pro tem.*, of the Senate, and

Messrs. Ellis and Milliken acting as tellers on the part of the Senate, and

Messrs. Williamson and Franklin on the part of the House.

When, on counting the first ballot,

William R. Nofsinger received	117	votes
Scattering,	19	"
Blank,	10	"

William R. Nofsinger having received a majority of all the votes given, was thereupon, by the President of the Joint Convention, declared duly elected Canal Trustee on the part of the State of Indiana, for the Wabash and Erie canal, to serve as such for the term of three years from and after the term of service of the present incumbent.

Whereupon the President of the Convention declared the same adjourned without day.

The Senate then returned to their chamber;

When, the question being on the adoption of Mr. Miller's amendment,

Which was decided in the affirmative.

Mr. Harvey moved to refer the bill to the committee on Benevolent Institutions;

Which was decided in the negative.

Mr. Niblack offered the following amendment:

Provided, That the members of the Convention shall be required to refund one-half of the *per diem* allowance that they have already received.

Mr. Knowlton moved to lay the amendment on the table;

Which was decided in the affirmative.

The question being on the engrossment of the bill,
It was so ordered.

By Mr. Dunn;

No. 75. A bill to amend an act entitled, "an act to incorporate the Bedford Insurance Company," approved February 8th, 1836;
Which was read a first time, and

On motion by Mr. Dunn,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Marshall;

No. 76. A bill to amend the charter of the Madison Insurance Company;

Which was read a first time, and

On motion by Mr. Marshall,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

Leave being granted,

Mr. Athon submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 69, relative to the Jeffersonville Railroad Company, have had the same under consideration, and have directed me to report the bill back with the following amendments and recommend its passage: Strike out the words "or county," and insert between the words "city, town," the word "or," so as to read "city or town," and ask to be discharged from the further consideration thereof.

Which amendment was concurred in, and the bill ordered to be engrossed.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 8. An act to amend an act entitled, "an act to incorporate the town of Noblesville," approved January 19th, 1850.

No. 10. An act authorizing Reason W. Prather to drain certain lowlands therein mentioned.

No. 14. An act to abolish the office of Auditor in the county of Ohio.

No. 34. An act for the relief of Amasa Hazen, of Ripley county.

No. 37. An act to change the times of holding circuit courts in the Twelfth Judicial Circuit.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills thereof:

No. 2. An act to change the time of holding courts in the Eighth Judicial Circuit.

No. 30. An act defining the duties of the County Treasurer of Lake county.

Which I am directed to bring to the Senate for the signature of the President thereof.

By Mr. Brugh, from the committee on Engrossed Bills:

MR. PRESIDENT:

The committee on Engrossed Bills have examined bill No. 11, and find the same correct, and have directed me to report the same back to the Senate.

By Mr. Teegarden, from the committee on Enrolled Bills:

MR. PRESIDENT:

The committee on Enrolled Bills have examined enrolled bills of the Senate Nos. 28 and 59 with the engrossed thereof, and find the same correctly enrolled.

By Mr. Garver, from a select committee;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 66, entitled an act for the benefit of common schools in Boone county, have had the same under consideration and direct me to report the same back to the Senate with one amendment and when so amended recommend its passage.

Amend by inserting immediately after the word "act," where it occurs in the fourth line of the first section, the words "or at."

Which amendment was adopted, and,

On motion,

The bill referred to the committee on Education.

On motion, by Mr. Athon :
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Senator English was called to the chair.

ORDERS OF THE DAY.

Bills on Third Reading.

No. 36. A bill to incorporate the Cicero and Kerklin Plank Road company;

Was read a third time and passed.

No. 50. A bill to incorporate the Liberty and Miami Railroad company;

Was read a third time and passed.

HOUSE BILLS.

No. 34. A bill to extend the powers of the Lawrenceburgh and Upper Mississippi Railroad company;

Was read a third time and passed.

No. 63. A bill relative to the purchase of Books, made by the Governor, for the use of the convicts of the State's prison and for other purposes;

Was read a third time and passed.

No. 71. A bill to amend an act entitled "an act to incorporate the Western Plank Road company, approved Jan. 14, 1850;"

Was read a third time and passed.

BILLS ON SECOND READING.

No. 68. A bill of the Senate relative to the purchase of books by the Governor for the use of the convicts of the State prison and for other purposes;

Was read a third time and passed.

No. 64. A bill of the House to enable the inhabitants of school district No. 8, in Congressional Township No. 36, north of range No. 3 west, in Laporte county to levy a tax sufficient to build a school house;

Was read a second time and passed to a third reading.

No. 68. A bill of the House to repeal an act therein named;

Was read a second time and passed to a third reading.

No. 72. A bill of the House to amend section 27, chapter 7 of the Revised Statutes of 1843, so far as relates to the county of Greene;

Was read a second time and passed to a third reading.

No. 77. A bill of the House to vacate the town of Charleston, in Huntington county;

Was read a second time and passed to a third reading.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House, instantler, for the purpose of going into the election of a Warden of the State Prison, and that seats be provided for their accommodation on the right of the Speaker's chair.

Which,

On motion by Mr. Mickle,

Was reciprocated and Messrs Harvey and Hardin were appointed tellers on the part of the Senate.

The Senate then repaired in a body to the Hall of the House of Representatives to proceed to the election of a Warden of the State Prison.

The Joint Convention of the two Houses of the General Assembly of the State of Indiana then proceeded to ballot for a Warden for the State Prison, Messrs. Harvey and Hardin acting as tellers on the part of the Senate and Messrs. Hutchinson and Hammond on the part of the House;

When, on counting the votes, it appeared that

Alanson Ruter received	112 votes.
Blank,	27 "

Alanson Ruter having received a majority of all the votes given was by the President of the Convention declared duly elected Warden of the State Prison to serve as such for the term three years from this date.

Whereupon the President of the Convention adjourned the same without day.

The Senate then returned to their chamber,

When Mr. Milliken introduced,

No. 77. A bill to repeal an act therein named;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

Mr. Dunn asked and obtained leave to introduce the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire and report

1st. Whether so much of an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849, as provides for the assessment of a tax of three dollars on each one hundred dollars on the amount of all premiums received in this state for insurance on property, or lives within the same, by the agent of insurance companies not chartered by this state, is not, so far as it applies to insurance companies chartered by any of our sister states of this Union, a violation of section 2 of article 4 of the constitution of the United States, which provides that "the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states."

2d. If said tax is constitutional, whether it is not expedient to repeal the same, so far as it relates to premiums received for insurance on lives, in view of the fact that nearly all the foreign life insurance companies having agencies in this state, are based on the mutual principle, and our own citizens by insuring in such companies become members thereof, and interested in the premiums received by the same.

Which was adopted.

Leave being granted,

Mr. Adams submitted the following report:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 69, in relation to the fees of the Recorder of Brown county, have had the same under consideration, and directed me to report the same back to the Senate with one amendment, and upon the adoption of which they recommend its passage.

Amend as follows:

1st. Strike out of the first section, the words "sixty," and insert in lieu thereof the word "seventy-five."

2d. Also strike out of the same section the word "county," and insert in lieu thereof the word "counties."

3d. Also add after the word "Brown," in said section the words "and Morgan."

Amend the title as follows:

4th. After the word "Brown," the words "and Morgan."

Also strike out the word "county," and insert in lieu thereof the word "counties."

Which amendments were adopted, the rules suspended, the bill read a third time and passed.

Mr. Hamrick moved to reconsider the vote taken on the passage of the bill of the House No. 71,

Which motion prevailed.

On motion by Mr. Hamrick,

The bill was referred to a select committee, consisting of Messrs. Hamrick, Dole and Milliken.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House, instanter, for the purpose of going into the election of a president Judge of the sixth Judicial circuit; and that seats be provided on the right of the Speaker's chair.

Which,

On motion,

Was reciprocated by the Senate, and

Messrs. Turman and Holloway appointed tellers on the part of the Senate.

The Senate then repaired to the Hall of the House of Representatives to proceed to the election of a president Judge of the sixth Judicial circuit.

The Joint Convention of the two houses of the General Assembly of the State of Indiana, then proceeded to ballot for a president Judge of the sixth judicial circuit; Messrs. Turman and Holloway acting as tellers on the part of the Senate, and Messrs. McCarty and Coburn on the part of the House.

When on counting the first ballot it appeared that

William Grose received	-	-	-	-	-	70 votes.
Jehu T. Elliott received	-	-	-	-	-	68 votes.
Blank,	-	-	-	-	-	7 votes.

No person having received a majority of all the votes given, the

Joint Convention then proceeded to a second ballot, Messrs. Turman and Holloway acting as tellers on the part of the Senate, and Messrs. Shook and Armstrong on the part of the House.

When on counting the second ballot it appeared that

William Grose received	- - - - -	67 votes.
Jehu T. Elliott received	- - - - -	75 votes.
Blank,	- - - - -	3 votes.

Jehu T. Elliott having received a majority of all the votes given, was by the President of the Joint Convention, declared duly elected President Judge of the sixth Judicial circuit for the term of seven years, from and after the expiration of the term of service of the present incumbent.

The President of the Convention then declared the same adjourned without day.

The Senate then returned to their chamber,

When the following bills were introduced:

By Mr. Sleeth:

No. 78. A bill to amend an act therein named.

Which was read a first time, and

On motion by Mr. Sleeth,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on benevolent institutions.

By Mr. Milliken;

No. 79. A bill to authorize a company to construct the Manchester and Elizabethtown turnpike.

Which was read a first time, and

On motion by Mr. Milliken,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. James;

No. 80. A bill to re-organize the Evansville Insurance Companies, chartered under the several acts of February 8, 1836, and January 21, 1850.

Which was read a first time, and

On motion by Mr. James,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the

Senate that the House has passed the following engrossed bills thereof, to wit:

No. 24. An act to amend the charter of the Evansville and Illinois Railroad Company.

No. 100. An act requiring the supervisors to settle with the township trustees in the county of Wells.

No. 101. An act to amend an act entitled "an act to incorporate certain turnpike companies therein named, approved Jan. 29, 1839."

No. 116. An act extending the time of holding the Probate court in the county of Carroll.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the preceding message were taken up.

No. 24 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

No. 100 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

Referred to a select committee consisting of Messrs. Mickle, Dawson and Eddy.

No. 101 was read a first time, and passed to a second reading.

By Mr. Teegarden, from the committee on Enrolled Bills;

MR. PRESIDENT:

The committee on Enrolled Bills of the Senate have examined Nos. 3, 4, 11, 21, 24, 31, and 33 with the engrossed, and find the same to be correctly enrolled.

No. 116 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

On motion by Mr. Milliken,

The Senate adjourned.

WEDNESDAY MORNING, January 15, 1851.

The Senate met.

The President being absent, the Secretary called the Senate to order, when,

Mr. Milliken submitted the following resolution :

Resolved, That Elisha G. English, the Senator from the county of Scott, be and he is hereby declared duly elected President of the Senate, *pro tem.*, to serve as such during the absence of the Hon. James H. Lane, the President thereof.

Which was adopted.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Niblack;

A petition from the citizens of Martin county, praying for a State road from Bloomington, in Monroe county, to Dover Hill, in Martin county.

Which was,

On motion of Mr. Niblack,

Referred to a select committee consisting of Messrs. Niblack, Dunn and Adams.

By Mr. Dunn;

A petition from citizens of Lawrence county, for a State road leading from Bloomington, in Monroe county, to Dover Hill, in Martin county.

Which was,

On motion by Mr. Dunn,

Referred to the select committee upon that subject.

By Mr. Ellis;

A petition of 1100 citizens of Michigan, for a charter for a railroad from Michigan city to Illinois.

Which,

On motion,

Was laid upon the table without reading.

By Mr. Allen;

A petition praying for the vacation of the Pleasant Hill and Fulton State road.

Which,

On motion by Mr. Allen,

Was referred to a select committee consisting of Messrs. Allen, Odell, and Turman.

By Mr. Odell;

Two remonstrances from the citizens of Montgomery and Tippecanoe counties, in reference to vacating the Pleasant Hill State road. Which,

On motion by Mr. Odell,

Was referred to the select committee on that subject.

By Mr. Athon;

The petition of citizens of Clark county, for a precinct.

Which was referred to a select committee consisting of Messrs. Athon, Cravens and Niblack.

By Mr. Dunn;

A petition of Alex. Southerland and others, in relation to removing obstructions in Clear creek, Monroe county.

Which was,

On motion of Mr. Dunn,

Referred to a select committee consisting of Messrs. Dunn, Adams and Marshall.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to House bills:

No. 57. An act directing the Auditor of State to pay over to the Treasurer of Ripley county certain funds therein named.

No. 85. An act for the relief of township clerks in the county of Posey.

REPORTS FROM COMMITTEES.

By Mr. Reid;

MR. PRESIDENT:

The committee on Elections, to whom was referred bill of the House No. 42, being an act to legalize the election of the County Commissioners of the county of Owen, have had the same under consideration and request me to report the same back to the Senate without amendment and to recommend its passage.

Which was concurred in and the bill ordered to a third reading.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred resolution of the Senate instructing said committee to inquire into the expediency of repealing the law authorizing the election of county prosecutors and of reviewing the law authorizing the election of circuit prosecutors with leave to report by bill or otherwise, have had the same under consideration and directed me to report the following bill and recommend its passage:

No. 81. A bill to repeal an act therein named relative to the election of county prosecutors;

Which was read a first time and passed to a second reading.

By Mr. Dunn;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill No. 35, being a bill for the relief of the heirs of Alexis Leroy, deceased, have had the same under consideration and instructed me to report the same to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom had been referred Senate bill No. 75, have instructed me to report the same back to the Senate for its action and ask to be discharged from further consideration of the subject.

Mr. Hanna moved to recommit the bill with the following instructions:

Recommit to committee on Corporations.

1st. With instructions to strike out 10 and insert 6, as the amount of per cent. allowed to be taken or charged, and insert a clause authorizing the Legislature hereafter to repeal or amend the charter and making the stockholders individually liable for the debts of the company.

Mr. Millikin moved a division of the question,

Which was decided in the affirmative.

The question being on recommitting the bill,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Berry, Brugh, Cravens, Dawson, Day, Delevan, Eddy, English, Evans, Hunt, Goodman, Hanna, Henton, Kinnard, Knowlton, Logan, Mickle, Miller, Milliken, Odell, Reid, Sleeth, Walker and Woods—26.

Those who voted in the negative were,

Messrs. Dole, Dunn, Ellis, Garver, Graham, Hamrick, Harvey, Herod, Holloway, James, Marshall, McCarty, Montgomery, Niblack, Porter, Teegarden, and Winstandley—17.

So the bill was recommitted.

Mr. Reid offered the following amendment to the instructions:

Add the following to the second proposition of said instructions, "by a vote of two-thirds of each House when the public good demands it."

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Buckles, Day, Delevan, Eddy, English, Goodman, Reid, and Sleeth—9.

Those who voted in the negative were,

Messrs. Allen, Athon, Berry, Brugh, Cravens, Dawson, Dole, Dunn, Ellis, Evans, Garver, Graham, Hamrick, Hanna, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Miller, Milliken, Montgomery, Niblack, Odell, Porter, Teegarden, Walker, and Woods—35.

Which was decided in the negative.

On motion of Mr. Porter,

The question was taken on striking out "10" and inserting "6."

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Athon, Berry, Brugh, Buckles, Cra-

vens, Dawson, Delevan, Eddy, English, Evans, Garver, Hanna, Henton, Hunt, Kinnard, McCarty, Mickle, Miller, Milliken, Montgomery, Odell, Reid, Sleeth, Walker and Woods—26.

Those who voted in the negative were,

Messrs. Day, Dole, Dunn, Ellis, Graham, Hamrick, Harvey, Herod, Holloway, James, Knowlton, Marshall, Niblack, Porter, Teegarden, and Winsteadley—17.

So the first proposition contained in the instructions was adopted. Mr. Harvey moved that the instructions not already adopted be laid upon the table;

When the ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Alexander, Buckles, Delevan, Dunn, Eddy, Ellis, Graham, Hamrick, Harvey, Herod, Holloway, James, Marshall, Milliken, Montgomery, Niblack, Odell, Porter, Sleeth, Teegarden, Walker and Winsteadley—22.

Those who voted in the negative, were,

Messrs. Allen, Athon, Berry, Brugh, Cravens, Dawson, English, Evans, Garver, Goodman, Hanna, Henton, Hunt, Kinnard, Logan, Mickle, Miller, Reid and Woods—19.

So they were laid upon the table.

Leave being granted,

Mr. Sleeth made the following report:

MR. PRESIDENT:

The committee on the Benevolent Institutions of the State, to whom was referred Senate bill No. 78, entitled an act to amend an act therein named, have had the subject under consideration, and have directed me to report the same back to the Senate, and recommend its passage;

Which was concurred in, and

On motion,

The rules were suspended, the bill read a third time, and passed.

On leave,

Mr. Mickle made the following report:

MR. PRESIDENT:

The select committee to whom was referred bill of the House, No. 100, an act regulating Supervisors in Wells county, have had that subject under consideration and directed me to report the same back to the Senate without amendment, and recommend its passage;

Which was concurred in, and the bill ordered to a third reading. Mr. Hamrick made the following report:

MR. PRESIDENT:

The select committee to whom was referred bill of the House, No. 71, entitled an act to amend an act to incorporate the Western Plank Road Company, approved January 14, 1850, have had the same under consideration and directed me to report the same back to the Senate with one amendment, and upon the adoption of which, recommend its passage.

Amend by adding at the close of the second section: *Provided*, nothing therein shall confer upon said company power to construct a bridge across the Wabash river, so as in any manner to obstruct or impair the navigation of said river by steam boats, flat boats or other crafts;

Which report was concurred in, and

On motion,

The rules were suspended, the bill read a third time, and passed. By Mr. Dawson;

MR. PRESIDENT:

The select committee on Apportionment, to whom was referred sundry resolutions of the Senate, instructing them to enquire into the expediency of reducing the number of Senators to 30, and the number of Representatives to 70, have had that subject under consideration, and have instructed me to report, that in the opinion of the committee, it is inexpedient to reduce the number below that now fixed by law, and respectfully ask to be discharged from the further consideration of that subject;

Which report was concurred in.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the

Senate that the Speaker has signed the following enrolled acts thereof:

No. 28. An act to revive a certain act therein named.

No. 41. An act to authorize the Auditor of Clinton county to make to John Mohn, a certificate of purchase for a certain tract of land in said county.

No. 83. An act to provide for the return of the vote on the school law, to the office of the Secretary of State.

No. 91. An act to correct a misprint and supply an omission, in an act entitled an act directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie canal lands, approved January 21, 1850.

No. 67. An act to change the name of the town of Rochester in Franklin county, Indiana, to Cedar Grove.

Which, I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.
Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled acts of the Senate:

No. 28. An act to incorporate the Ohio and Indiana Railroad Company.

No. 59. An act to amend the act to incorporate the Trustees of the Indiana Asbury University, approved January 10, 1837.

Which, I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.
Mr. Ellis submitted the following resolution:

Resolved, That the Senate will, the House concurring therein, adjourn *sine die* on the 3d day of February next.

Mr. Mickle moved to lay the resolution on the table.
The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Berry, Eddy, English, Evans, Hamrick, Henton, Mickle, Miller, Montgomery, Niblack, Porter and Woods—12.

Those who voted in the negative were,

Messrs. Alexander, Allen, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Dunn, Ellis, Goodman, Harvey, Henton, Herod, Holloway, James, Kinnard, Knowlton, Marshall, McCarty, Milliken, Odell, Reid, Sleeth, Teegarden, Walker and Winstandley—29.

So the resolution was not laid upon the table.

Mr. Buckles offered the following amendment:

Strike out "3d February" and insert "25th January."

Mr. Mickle offered the following amendment:

Provided, it has finished the business for which they have convened.

Pending, which,

On motion by Mr. Niblack,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Cravens submitted the following resolution:

Resolved, That the Senate proceed instantler with closed doors to the election of a Director of the State Bank of Indiana, on the part of the State, in the place of William Dailey, Esq., whose term is about to expire—and that the House be informed of the adoption thereof.

Which was adopted.

PETITIONS INTRODUCED.

By Mr. Goodman;

A petition of the citizens of Dubois county, relative to school law;

Which,

On motion by Mr. Goodman,

Was referred to a select committee, consisting of Messrs. Goodman, Miller, Hunt, Niblack and Graham.

By Mr. Athon;

A petition from citizens of Silver Creek, Wood, and Charlestown

townships, for a Justice of the Peace at Bennittsville, in Clark county;

Which,

On motion by Mr. Athon,
Was referred to the Judiciary committee.

By Mr. Dawson;

The petition of John Morris and Egbert B. Mott, in reference to the school law;

Which,

On motion by Mr. Dawson,
Was referred to the committee on Education.

The President laid before the Senate the following communication from his Excellency, the Governor:

HON. JAS. H. LANE,

President of the Senate:

Please lay before the body over which you have the honor to preside, the enclosed resolutions of the State of New Hampshire.

JOS. A. WRIGHT.

Which resolutions,

On motion by Mr. Dunn,

Were laid upon the table.

The following communication was laid before the Senate by the President:

INDIANA INSTITUTE FOR THE BLIND,)
INDIANAPOLIS, January 15, 1851.)

President of the Senate:

SIR—In compliance with a resolution of the House of Representatives, adopted and transmitted to me on the 4th inst., requesting that an exhibition of the attainments of the pupils of our Institute be made before the General Assembly, we have fixed upon Monday evening next, (the 20th inst.,) for that purpose.

The exhibition will be held at Concert Hall, corner of Pennsylvania and Washington streets, commencing at half-past six o'clock.

In order to insure comfortable seats to the members of the Legislature, they will be furnished, in due time, with tickets for the admission of one person each, and no person will be admitted without such ticket. The audience will be mostly limited to the members of the General Assembly and the Constitutional Convention, with a few of their friends and the officers of State.

Very respectfully yours,

W. H. CHURCHMAN.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House reciprocate the resolution of the Senate to proceed instantler, with closed doors, into the election of a Director of the State Bank of Indiana on the part of the State, in place of William Dailey, whose term of service is about to expire.

The Senate then, according to order, proceeded, with closed doors, to the election of a Director of the State Bank of Indiana, on the part of the State, in the place of William Dailey, whose term of service is about to expire.

Messrs. Allen and Day acting as tellers.

Upon counting the first ballot it appeared that

William Dailey received	-	-	-	-	-	-	14	votes.
Spencer Wiley,	-	-	-	-	-	-	19	"
Joseph Sinclair,	-	-	-	-	-	-	6	"
George Hibben,	-	-	-	-	-	-	3	"
Blank,	-	-	-	-	-	-	1	"

No gentleman having received a majority of all the votes given, the Senate proceeded to a second ballot.

And on counting the same, it appeared that

William Dailey received	-	-	-	-	-	-	20	votes.
Spencer Wiley,	-	-	-	-	-	-	23	"
George Hibben,	-	-	-	-	-	-	3	"

No gentleman having received a majority of all the votes given, the Senate proceeded to a third ballot.

And on counting the same, it appeared that

William Dailey received	-	-	-	-	-	-	23	votes.
Spencer Wiley,	-	-	-	-	-	-	22	"
Blank,	-	-	-	-	-	-	2	"

No person having received a majority of all the votes given, the Senate proceeded to a fourth balloting.

Upon counting the fourth ballot, it appeared that

William Dailey received	-	-	-	-	-	-	26	votes.
Spencer Wiley,	-	-	-	-	-	-	21	"

William Dailey having received a majority of all the votes given, was declared, by the President, duly elected on the part of the Senate, a Director of the State Bank of Indiana, on the part of the State, for the term of four years, from and after the expiration of the term of service of William Dailey, the present incumbent.

Ordered that the Secretary inform the House thereof by sealed message.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to deliver to the Senate the accompanying sealed message in relation to the election of a Director on the part of the State, to the State Bank of Indiana.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that at an election held by the House of Representatives with closed doors, in pursuance of a resolution of the two Houses, for the purpose of electing a Director of the State Bank of Indiana, to serve as such for the term of four years from and after the expiration of the term of the present incumbent, William Dailey, Esq., William Dailey, Esq., received, on the first ballot, a majority of all the votes given, and was thereupon declared duly elected on the part of the House of Representatives, a Director of the State Bank of Indiana, to serve as such during the term of four years from and after the term of service of the present incumbent, William Dailey, Esq.

WM. R. BOWES,

Principal Clerk H. R.

The two houses having agreed in their choice of a Bank Director in the place of William Dailey, Esq., William Dailey was declared by the President duly elected a Director of the State Bank of Indiana, on the part of the State, to serve as such for the term of four years from and after the present term of service of the said William Dailey.

Mr. Buckles asked and obtained leave to introduce the following bill:

No. 82. A bill to incorporate the Muncie Horse Thief Detecting Company.

Which was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended, the bill read a second time,

When,

Mr. Athon moved to lay the bill on the table.

Which motion prevailed.

By Mr. Turman;

No. 83. A bill to incorporate the Covington and Danville Plank Road Company.

Which was read a first time, and,

On motion by Mr. Turman,

The rules were suspended, the bill read a second time, and,

On further motion,

Referred to a select committee consisting of Messrs. Dole, Turman and Montgomery.

Mr. Turman asked and obtained leave to introduce the following petition:

A petition on behalf of the Covington and Danville Plank Road Company.

Which was referred to the above named select committee.

Mr. McCarty asked and obtained leave to introduce the following resolution:

Resolved, That the Judiciary committee examined into the various charters for railroads, amendments thereto, and action under them, that has any reference to the right of way from Michigan city to the Western line of Indiana, and report to the Senate at their earliest convenience whether said right of way is legally and rightfully vested in any company by charters, privileges, claims, under any one act or by combining several acts and organizing under the same: and whether, consistent with the rights of others, it is now competent for the General Assembly to make such disposition of said right of way as they deem for the best interest of the State.

Which was adopted.

Mr. Harvey asked and obtained leave to introduce the following resolution:

Resolved, That the committee on the Judiciary be instructed to examine and report whether the incorporation of a town or village under the provisions of article 1, chapter 25, of the Revised Statutes, 1843, exempts the male inhabitants of said town or village from liability to work on public highways without the limits of the corporation.

Which was adopted.

The Senate then resumed the consideration of the resolution introduced by Mr. Ellis this forenoon.

Mr. Dunn moved to lay Mr. Mickles's amendment on the table.

When,

Mr. Harvey called the previous question.

Which was seconded.

The question being, shall the main question be now put?

Was decided in the affirmative.

The question being on the adoption of the resolution,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Athon, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Dole, Dunn, Ellis, Evans, Goodman, Hamrick, Hanna, Harvey, Hunt, James, Kinnard, Knowlton, Marshall, McCarty, Milliken, Odell, Reid, Teegarden, and Winsteadley—28.

Those who voted in the negative were,

Messrs. Adams, Brugh, Eddy, English, Garver, Henton, Logan, Mickle, Miller, Montgomery, Niblack, Porter, Sleeth, Turman, Walker, and Woods—16.

So the resolution was adopted.

Mr. Turman asked and obtained leave to introduce the following petition.

The petition of Joseph Glasscock and 75 other citizens of Fountain county, concerning the school fund of said county.

Which was referred to the committee on Education.

Mr. Mickle submitted the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of allowing President Judges a per diem allowance in addition to their present salaries, to be paid out of the county treasury in which the courts are held.

Which was laid upon the table.

On motion by Mr. Buckles,

Mr. Eddy was added to the committee on Apportionment.

On motion by Mr. Buckles,

The Senate adjourned.

THURSDAY MORNING, January 16, 1851.

The Senate met.

On motion by Mr. Dunn,

The reading of the Journal was dispensed with.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate:

No. 2. An act to change the name and extend the corporate privileges of the Perry Cotton Mill at Cannelton.

No. 7. An act to incorporate the Cannelton Levee and Draining Company.

No. 16. An act to amend an act entitled "an act to incorporate the Richmond and Williamsburgh Turnpike Company," approved January 16, 1849.

No. 25. An act authorizing the Auditor of Harrison county to make a deed therein named.

No. 45. An act declaring a misprint in an act approved January 16, 1849.

No. 51. An act to increase the per diem allowance of the Probate Judges of the Probate Court of Montgomery and Madison counties.

No. 52. An act to incorporate the Sparta and Napoleon Turnpike Company.

No. 57. An act to pay counsel in certain cases.

No. 72. An act in relation to the January term, A. D. 1851, of the Probate Court of Martin county.

Without amendment.

REPORTS OF STANDING COMMITTEES.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 73, have instructed me to report the same to the Senate and recommend its passage.

No. 73. A bill to amend an act to incorporate the Ohio River and Princeton Plank Road Company.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Winsteadley;

MR. PRESIDENT:

The committee on corporations to which was referred bill of the Senate No. 76, entitled "a bill to amend the charter of the Madison Insurance Company," have had the same under consideration, and a majority of said committee have directed me to report the bill back

to the Senate, without amendment, and respectfully recommend its passage.

Mr. McCarty moved to amend the bill by striking out the "2d section."

Mr. Reid moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Brugh, Cravens, Dawson, Day, Defrees, Dole, Dunn, Ellis, Hamrick, Harvey, Herod, Holloway, Hunt, James, Logan, Marshall, Montgomery, Niblack, Odell, Porter, Teegarden and Winstandley—23.

Those who voted in the negative were,

Messrs. Allen, Athon, Buckles, Delevan, Eddy, English, Evans, Garver, Goodman, Henton, Kinnard, McCarty, Mickel, Miller, Milliken, Reid, Sleeth, Turman, Walker, and Woods—20.

So it was laid upon the table.

Mr. McCarty offered the following amendment:

Provided, It shall not be lawful for said company directly or indirectly, to charge or receive a greater rate of interest on notes, bills, or other evidences of debt, and no greater rate of exchange than the State Bank of Indiana is now allowed by law to receive, or as may hereafter be the current rate of exchange; and that it shall not be lawful for such company to charge or receive any compensation for endorsing or insuring the payment of any bond, bill, note, or other instrument of indebtedness, and so much of section thirteen of the act of incorporation of said company, approved _____ and all acts inconsistent with this amendment be, and the same is hereby repealed. This amendment shall not be so construed as to interfere with the business of bona fide insurance by said company, or the issuing of policies of insurance against loss by fire, or any kind of risk on property in course of transportation, or otherwise; and the charging and the receiving such a rate of premium as may be agreed upon between the parties. Previous to creating the additional stock hereby contemplated, and previous to all such times as it may be increased, said company shall by publication in two or more newspapers of most general circulation in the county of Jefferson, give thirty days notice, setting forth in every particular how said stock is to be increased, and how to be paid or secured.

Provided, however, That said company shall not be authorized to receive or accept any part of this amendment, without accepting the

whole, and an acceptance of any part of the amendment, shall be taken as conclusive evidence that the company have accepted the whole provisions of this act.

This act to be in force from and after its passage, and shall be deemed and taken to be a public act.

Mr. Winstandley moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Brugh, Cravens, Day, Defrees, Dole, Dunn, Ellis, Hamrick, Harvey, Herod, Holloway, James, Marshall, Montgomery, Niblack, Odell, Porter, Teegarden, and Winstandley—20.

Those who voted in the negative were,

Messrs. Allen, Athon, Buckles, Dawson, Delevan, Eddy, English, Evans, Garver, Goodman, Henton, Hunt, Kinnard, Logan, McCarty, Miller, Milliken, Reid, Sleeth, Turman, Walker, and Woods—22.

So the amendment was not laid on the table.

Mr. Marshall moved to lay the bill and amendment upon the table,

Which motion prevailed.

By Mr. Teegarden, from the committee on enrolled bills, made the following report:

MR. PRESIDENT:

The committee on enrolled bills, have compared enrolled bills of the Senate Nos. 39 and 47, with the engrossed, and find them correctly enrolled.

By Mr. Ellis;

MR. PRESIDENT:

The committee on corporations to whom was referred instructions with Senate bill No. 75, being a bill to amend an act entitled an act to incorporate the Bedford Insurance company, approved Feb. 8, 1836, have instructed me to report the same to the Senate, with an amendment, agreeably to instructions of the Senate, and recommend its passage.

On motion by Mr. Buckles,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Hon. James H. Lane, President of the Senate, in the chair.

The Senate resumed the subject under consideration at the time of adjournment.

When by the unanimous consent of the Senate, the following amendment was adopted as a substitute for the amendment made by said committee, by the instructions of the Senate, to wit:

Strike out all after the word "interest" in the 11th line, in the 2d section, to the word "time" in the 13th line of said section inclusive, and insert in lieu thereof the following:

"As may be agreed upon by the parties not exceeding the rate of interest, which, may be allowed by the law in force at the time of such loan or loans in favor of individuals."

Mr. Reid moved to strike out 100 years.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Eddy, English, Evans, Garver, Goodman, Hanna, Hardin, Henton, Hunt, Logan, McCarty, Mickel, Miller, Milliken, Reid, Sleeth, Walker and Woods—30.

Those who voted in the negative were,

Messrs. Dole, Dunn, Ellis, Graham, Hamrick, Harvey, Herod, Holloway, James, Knowlton, Marshall, Montgomery, Niblack, Odell, Porter, Teegarden and Winsteadley—17.

So it was stricken out.

Mr. Dunn moved to insert in lieu thereof, "fifty years."

Which was decided in the affirmative.

Mr. Reid offered the following amendment:

Amend by striking out that section which makes notes or bills payable at the office, to be governed by the law of merchants.

Mr. Woods moved that the Senate adjourn;

Which was decided in the negative.

Mr. Ellis moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Cravens, Day, Defrees, Dole, Dunn, Ellis, Graham, Harvey, Holloway, Knowlton, Marshall, Milliken, Montgomery, Niblack, Porter, Teegarden and Winsteadley—18.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Berry, Brugh, Buckles, Dawson, Delevan, Eddy, English, Evans, Garver, Goodman, Hanna, Hardin, Henton, Kinnard, Logan, McCarty, Mickel, Miller, Odell, Reid, Sleeth, Turman, Walker, and Woods—27.

So the amendment was not laid on the table.

The following message was received from his Excellency, the Governor, by Mr. Noel his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate, that he has approved and signed the following bills:

No. 8. An act to amend an act entitled an act to incorporate the town of Noblesville, approved January 19, 1850.

No. 10. An act authorizing Reason W. Prather, to drain certain lowlands therein mentioned.

No. 28. An act to incorporate the Ohio and Indiana Railroad Company.

No. 34. An act for the relief of Amasa Hazen of Ripley county.

No. 33. An act to legalize the assessment of taxes for school purposes, in district No. 7, in township 33, north of range 14 east, in DeKalb county.

No. 37. An act to change the times of holding the Circuit courts in the twelfth Judicial Circuit.

No. 59. An act to amend the act to incorporate the Trustees of the Indiana Asbury University, approved January 10, 1837.

No. 3. An act to repeal section one of an act, approved January 19, 1850, of an act entitled an act, to amend an act entitled an act to incorporate the city of Indianapolis, approved May 27, 1848.

No. 21. An act to amend an act entitled an act to incorporate the town of Patriot in Switzerland county, and legalize the action of the Collector of said town.

No. 31. An act to change the name of Nancy Ann Kelso of Du-bois county, to Nancy Ann McMahan.

On motion by Mr. Ellis,

The Senate adjourned.

FRIDAY MORNING, January 17, 1851.

The Senate met.

On motion by Mr. Milliken,

The reading of the Journal was dispensed with.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled acts thereof:

No. 3. An act for the relief of John Henry Lewis Gerke, and Frederick Myer.

No. 5. An act to incorporate the town of Vernon, Jennings county, Indiana.

No. 20. An act to abolish the offices of School Commissioner and county Agent in Brown county.

No. 21. An act to repeal an act giving further time to Assessors, approved Jan. 15, 1844, and all laws contravening the provisions of section 28 of chapter 12, of the Revised Statutes of 1843.

No. 22. An act to locate a state road in the counties of Kosciusco and Wabash.

No. 23. An act to repeal an act entitled "an act authorizing the commissioners of Fountain county to vacate a certain street in the town of Rob Roy, in Fountain county."

No. 25. An act to open an alley in the town of Perrysville, in Vermillion county.

No. 26. An act to revive the 61st section of an act entitled "an act to establish certain state roads therein named and for other purposes," approved February 18, 1839.

No. 27. An act to repeal an act entitled "an act relative to overseers of the poor," approved January 15, 1844, so far as relates to the county of Clay.

No. 37. An act authorizing the board of commissioners of the county of Morgan to make additional allowances to the Auditor of said county.

No. 38. An act to repeal an act to restrict the grand jury in Franklin county in their sessions, approved Jan. 15, 1850. And

No. 70. An act to extend the term of the February and May terms of the Laporte probate court.

Which I am directed to bring before the Senate for the signature of the President thereof.

Whereupon the President proceeded to affix his signature thereto.

Also, the following Message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following engrossed acts of the Senate:

No. 39. An act to amend the act entitled "an act to incorporate the Terre Haute and Richmond Railroad Company," approved Jan. 26, 1847, and the several acts amendatory of said act.

No. 47. An act to incorporate the Ayres University.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Milliken:

A remonstrance of citizens of Lawrenceburgh.

Which,

On motion, by Mr. Milliken,

Was referred to the Judiciary committee.

By Mr. Milliken;

The memorial of Isaac Dunn, David Nevet, and Stephen Ludlow.

Which,

On motion by Mr. Milliken,

Was referred to the Judiciary committee.

By Mr. Woods;

A petition and remonstrance from citizens of Switzerland county upon the subject of changing a road.

Which,

On motion by Mr. Woods,

Was referred to the committee on roads.

By Mr. Brugh;

A petition for a school district,

Which,

On motion by Mr. Brugh,

Was referred to a select committee, consisting of Messrs. Brugh, Buckles, and Mickle.

By Mr. Walker;

A petition of Thomas Shannon of Cass county,

Which was,

On motion by Mr. Walker,

Referred to the committee on Claims.

Bill No. 75, which was under consideration when the Senate adjourned yesterday, was taken up, and

On motion,

Laid upon the table.

REPORTS FROM STANDING COMMITTEES.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill No. 55, entitled "a bill to incorporate the Columbus, Oswego and Leesburgh Plank Road Company," have considered the same, and have directed me to report it to the Senate, with the following amendment, which when adopted recommend its passage.

Amend by striking out all in section 6 to the word "the," in the fourth line of said section.

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Niblack;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 73, entitled "an act to amend an act entitled an act to incorporate the White County Monticello Bridge Company, approved Jan. 15, 1850," have had the same under consideration, and have instructed to report the same back to the Senate without amendment, and respectfully recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to House bills, to wit:

No. 34. An act to extend the powers of the Lawrenceburgh and Upper Mississippi Railroad Company.

No. 57. An act directing the Auditor of State to pay over to the Treasurer of Ripley county certain funds therein named. And in

Bill No. 71. An act to amend an act entitled an act to incorporate the Western Plank Road Company, approved Jan. 14, 1850.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate:

No. 42. An act to amend an act entitled "an act to incorporate the Junction Railroad Company, passed Feb. 8, 1848."

No. 67. An act to alter the time of holding the circuit courts in the counties in the third judicial circuit.

Without amendment.

BILLS INTRODUCED.

By Mr. Milliken:

No. 84. A bill to amend an act entitled, "an act to incorporate the Indiana Canal Company;

Which was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of Messrs. Milliken, Marshall, Athon, Winstandley, and James.

By Mr. Ellis:

No. 85. A bill to amend an act entitled, "an act to incorporate the Harrison Draw Bridge Company;"

Which was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Miller:

No. 86. A bill to amend an act entitled, "an act changing the mode of doing county business in the county of Crawford," approved January 18th, 1850;

Which was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of Messrs. Miller, Goodman, and Hunt.

By Mr. Delevan:

No. 87. A bill for the benefit of the Martinsville and Franklin Railroad Company;

Which was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Dunn;

No. 88. A bill to repeal sections 8 and 9, of article 2, chapter 31, of the revised statutes of 1843;

Which was read a first time, and

On motion by Mr. Dunn,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

By Mr. Dunn;

No. 89. A bill to repeal section 17, article 2, chapter 31, of the revised statutes of 1843;

Which was read a first time, and

On motion by Mr. Dunn,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

By Mr. James;

No. 90. A bill to incorporate the Ohio and Wabash Plank Road Company;

Which was read a first time and passed to a second reading.

By Mr. Marshall;

No. 90. A bill making promissory notes negotiable;

Which was read a first time, and

On motion by Marshall,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

By Mr. Mickel;

No. 92. A bill to amend the act concerning the per diem allowance for work done on the highways in the county of Adams;

Which was read a first time and passed to a second reading.

By Mr. Dawson;

No. 93. A bill to repeal an act therein named;

Which was read a first time, and

On motion by Mr. Dawson,

The rules were suspended, the bill read a second time and ordered to be engrossed for a third reading.

By Mr. Dawson;

No. 94. A bill to amend an act entitled, "an act to restrict the County Commissioners of Steuben county in levying a tax of fifty cents on the one hundred dollars valuation," approved January 16, 1848;

Which was read a first time, and

On motion by Mr. Dawson,

The rules were suspended, the bill read a second time and ordered to be engrossed.

Mr. Dawson asked and obtained leave to introduce the following petition:

The petition of citizens of Steuben county praying the repeal of an act approved January 31, 1843, so far as relates to Steuben county;

Which,

On motion by Mr. Dawson,

Was laid on the table.

By Mr. Porter;

No. 95. A bill to amend the 12th section of chapter 56 of the revised statutes of 1843;

Which was read a first time and passed to a second reading.

By Mr. Porter;

No. 96. A bill to legalize the proceedings of the Alton, Mt. Carmel, and New Albany Railroad Company, and for other purposes;

Which was read a first time and passed to a second reading.

Mr. Niblack submitted the following resolution:

Resolved, That the committee on Roads be instructed to inquire into the expediency of revising the laws of this State on the subject

of roads, with a view of remedying some existing defects in said laws, and of making said laws uniform throughout the State.

Which was adopted.

Mr. Defrees submitted the following report from the committee on Corporations:

MR. PRESIDENT:

The committee on Corporations, to which was referred bill No. 16, "an act for the relief and benefit of certain turnpike companies therein named," have had the same under consideration, and have directed me to report the same back and recommend its passage.

Which was concurred in, when,

On motion by Mr. Dunn,

The bill was laid on the table.

Mr. Dawson submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of James Tillitson and 180 other citizens of Steuben county, on the subject of change of venue in criminal cases in said county, have had that subject under consideration, and have instructed me to report the following bill in accordance with the prayer of the petition, and recommend its passage:

No. 97. A bill to repeal an act entitled, "an act to amend the statute providing for the taking a change of venue in criminal cases," approved January 16, 1849, so far as relates to the county of Steuben.

Which was read a first time and passed to a second reading.

By Mr. Marshall;

No. 98. A bill for the protection of persons and property on railroads;

Which was read a first time and passed to a second reading.

By Mr. Holloway;

No. 99. A bill to amend an act entitled an act to incorporate the Williamsburg and Centerville Turnpike Company, approved January 11, 1849.

Which was read a first time and passed to a second reading.

By Mr. Holloway;

No. 100. A bill authorizing the taking of newspapers for the State Library.

Which was read a first time and passed to a second reading.

By Mr. Sleeth;

No. 101. A bill to repeal an act entitled "an act declaring a

certain stream therein named a public highway in Shelby county," approved January 21, 1850.

Which was read a first time and passed to a second reading.

By Mr. Dunn;

No. 102. A bill in relation to deputy clerks.

Which was read a first time and passed to a second reading.

By Mr. Garver;

No. 103. A bill authorizing the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the 1st day of July, 1851, and expenses of the Constitutional Convention.

Which was read a first time and passed to a second reading.

ORDERS OF THE DAY.

Senate Bills on their Third Reading.

No. 65. A bill to incorporate the Sparta and Versailles Turnpike Company.

Was read a third time and passed.

No. 69. A bill to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849.

Was read a third time, when,

On motion by Mr. Athon,

The bill was laid on the table.

No. 73. A bill to amend an act to incorporate the Ohio River and Princeton Plank Road Company.

Was read a third time and passed.

No. 74. A bill to amend an act entitled an act to provide for the call of a Convention of the State of Indiana to revise, alter or amend the Constitution of said State, approved January 18, 1850.

Was read a third time, when,

Mr. Milliken moved to lay the bill on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Day, Eddy, English, Henton, Herod, Holloway, Hunt, James, Kinnard, Logan, McCarty, Mickle, Miller, Milliken, Niblack, Odell, Porter, Reid, Walker, Winstandley, and Woods—26.

Those who voted in the negative were,

Messrs. Brugh, Buckles, Dawson, Defrees, Delevan, Dunn, Evans, Goodman, Hamrick, Hanna, Harvey, Knowlton, Marshall, Montgomery, and Teegarden—15.

So the bill was laid on the table.

No. 42. A bill (of the House) to legalize the election of the County Commissioner of the county of Owen.

Was read a third time and passed.

No. 64. A bill (of the House) to enable the inhabitants of school district No. 8, in Congressional township No. 36; north of range No. 3 west, in Laporte county, to levy a tax sufficient to build a school house.

Was read a third time and passed.

No. 68. A bill (of the House) to repeal an act therein named.

Was read a third time, when,

On motion by Mr. Dunn,

The bill was referred to the Judiciary committee.

No. 72. A bill (of the House) to amend section 27, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene.

Was read a third time, when,

Mr. Dunn moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Day, Dunn, Ellis, Harvey, Herod, James, Knowlton, Logan, Marshall, McCarty, Reid and Woods—12.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Buckles, Cravens, Dawson, Defrees, Delevan, English, Evans, Goodman, Graham, Hamrick, Hanna, Hardin, Henton, Hunt, Kinnard, Mickle, Miller, Milliken, Montgomery, Niblack, Odell, Porter, Sleeth, Teegarden and Walker—29.

So the bill was not indefinitely postponed.

The question being on the passage of the bill it was decided in the affirmative.

Mr. Buckles moved to reconsider the vote taken on the passage of the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Day, Defrees, Dole, Dunn, Ellis, Evans, Hamrick, Harvey, Herod, Holloway, James, Logan, Marshall, McCarty, Montgomery, Odell, Reid, Sleeth, Turman, Winstandley and Woods—22.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Buckles, Dawson, Delevan, Eddy, English, Goodman, Hanna, Hardin, Henton, Hunt, Kinnard, Knowlton, Mickle, Miller, Milliken, Niblack, Porter, Teegarden and Walker—24.

So the vote was not reconsidered.

No. 75. A bill to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby;

Was read a third time and passed.

No. 77. A bill of the House to vacate the town of Charleston in Huntington county;

Was read a third time and passed.

No. 100. A bill of the House requiring the Supervisors to settle with the Township Trustees in the county of Wells;

Was read a third time and passed.

No. 81. A bill to repeal an act therein named, relative to the election of county prosecutors;

Was read a second time,

When,

On motion by Mr. Buckles,

The bill was referred to the Judiciary committee.

Mr. Dawson moved the following instructions:

Strike out "so far as it effects the 12th Judicial Circuit;"

Which was not adopted.

No. 101. A bill to amend an act entitled "an act to incorporate certain Turnpike Companies therein named, approved January 29th, 1839;"

Was read a second time and passed to a third reading.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to wit:

No. 54. An act to further amend an act entitled "an act to incorporate the Michigan Road Company, approved January 13, 1845, and for other purposes.

No. 94. An act relative to the service of writs of summons in actions at law and subpoenas in chancery.

No. 99. A bill to extend the provisions of the 65th section of chapter 38 of the Revised Code of 1843, so as to embrace within its provisions all persons entitled to pensions or bounty lands, extra pay, or arrears of pay, and for other purposes.

No. 109. An act to vacate part of Water street, in the town of Williamsport, in the county of Warren and State of Indiana.

No. 102. An act to locate a State road on the line dividing Bartholemew and Decatur counties.

In which the concurrence of the Senate is respectfully requested.

Bills No. 54, 94, 99, 109 and 102, contained in the preceding message, were severally read a first time and passed to a second reading.

On motion by Mr. Porter,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following order:

Ordered by the House, the Senate concurring therein, that the Auditor of State be hereby ordered and required to audit the accounts of Austin H. Brown, the printer of the Convention, upon the certificate of the President thereof, and issue warrants for the same, to be paid out of the money appropriated to defray the expenses of the Convention.

In which the concurrence of the Senate is respectfully requested.

Which,

On motion by Mr. Harvey,

Was referred to the committee on Finance.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with four amendments.

No. 27. An act to increase the per diem allowances of the Probate Judges of the counties of Union, Fayette, Rush and Hendricks.

In which amendments the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrossed amendments of the House to bill No. 27.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to wit:

No. 77. An act to repeal an act therein named.

With one amendment, in which the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrossed amendment of the House to bill No. 77.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the first engrossed amendment of the Senate to House bill

No. 69. An act to reduce the fees of the Recorder of the county of Brown,

And disagree to the 2d, 3d, 4th and 5th amendments.

On motion,

The Senate receded from their 2d, 3d, 4th and 5th engrossed amendments to said bill.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 52. An act to amend an act regulating the jurisdiction and duties of justices of the peace in the county of Dearborn.

No. 95. An act authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county.

No. 106. An act to amend an act entitled "an act to incorporate the Greensburgh and Brookville Turnpike Company." approved January 15, 1849.

No. 108. An act for the relief of the Recorder of Franklin county.

No. 113. An act to repeal an act entitled "an act to amend the road law in Jefferson county.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 52, 95, 106, 108, and 113 contained in the preceding message were severally read a first time and ordered to a second reading.

Also, the following message was received from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be respectfully requested to return to the House, bill of the Senate No. 14, entitled a bill to establish the office of Auditor of Ohio county, passed during the present session.

Which was concurred in.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 13. An act to incorporate the Bluffton, Cannelton and Winchester Plank Road Company.

No. 53. An act to incorporate the Peru and Andersontown Plank Road Company.

No. 81. An act to amend an act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company," approved January 16, 1849.

No. 119. A joint preamble and resolution of the General Assembly of the State of Indiana, relative to the improvement of the Falls of the Ohio River.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 13, 53, 81, and 119, contained in the preceding message were severally read a first time and passed to a second reading.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the resolution of the Senate, providing for the adjournment of the General Assembly *sine die*, on the 3d of February, with the following amendment:

"*Provided*, we have finished the business we were sent here to do."

On motion,

The Senate concurred in the amendment of the House.

Mr. Athon submitted the followin report:

Mr. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Silver Creek, Wood and Charlestown townships in Clark County, relative to an additional place of holding elections in said county, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage, and ask to be discharged from the further entertainment thereof.

No. 104. A bill establishing an additional place of holding an election in Clark county;

Which was read a first time, and passed to a second reading.

Mr. Dole asked and obtained leave to introduce the following bill:

No. 105. A bill to change the time of holding Probate courts in the county of Vermillion.

Which was read a first time, and

On motion by Mr. Dole,

The rules were suspended, the bill read a second time, and

On motion by Mr. Dole,

The rules were suspended, the bill read a third time and passed.

Mr. Herod asked and obtained leave to introduce the following bill:

No. 106. A bill to amend an act entitled an act to protect from waste certain lands therein mentioned, approved December 13, 1849.

Which was read a first time, and passed to a second reading.

Mr. Dawson introduced the following petition:

A petition of Jonas Emanuel and 193 other citizens of DeKalb county, on the subject of Fees of county officers in said county;

Which,

On motion by Mr. Dawson,

Was referred to a select committee, consisting of Messrs. Dawson, Mickle and Eddy.

On motion by Mr. Hanna,

The Senate adjourned.

SATURDAY MORNING, January 18, 1851.

The Senaté met.

On motion by Mr. English,

The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Sleeth;

A memorial of 193 ladies of Shelbyville, on the subject of temperance.

Which was referred to the committee on Temperance.

By Mr. Delevan;

The petition of citizens of Morgan county upon the subject of swamp lands;

Which,

On motion by Mr. Delevan,

Was referred to the committee on Swamp Lands.

By Mr. Turman;

The petition of William Simpson upon slander;

Which,

On motion by Mr. Turman,

Was referred to the Judiciary committee.

By Mr. Delevan;

The petition of citizens of Morgan county asking to have Mill creek declared a public highway;

Which,

On motion by Mr. Delevan,

Was referred to a select committee consisting of

Messrs. Delevan, Reid, and Garver.

REPORTS FROM STANDING COMMITTEES.

By Mr. Garver:

Mr. PRESIDENT:

The committee on Finance, to whom was referred the petition of James L. Snow and others, praying for the passage of a law authorizing licensed merchants to vend clocks without additional license, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 107. A bill authorizing licensed merchants to vend clocks.

Which was read a first time and passed to a second reading.

By Mr. Harvey:

MR. PRESIDENT :

The committee on the Judiciary, to whom was referred bill of the House No. 33, entitled, "an act to authorize county auditors to appoint deputies," have had the same under consideration, and instructed me to report said bill back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill passed to a third reading.
By Mr. Reid :

MR. PRESIDENT :

The committee on the Judiciary to whom was referred bill of the Senate No. 49, relative to pleading in suits at law, have had the same under consideration, and ordered me to report the same back to the Senate and recommend its indefinite postponement.

Which was concurred in, and the bill indefinitely postponed.
By Mr. Logan :

MR. PRESIDENT :

The committee on the Judiciary, to whom was referred bill No. 50, of the House, an act entitled, "an act to incorporate the Lagrange Phalanx," approved January 13th, 1845, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.
By Mr. Athon :

MR. PRESIDENT :

The standing committee on the State's Prison, to whom was referred House bill No. 62, "to abolish the office of Superintendent of the work on the State Prison, and for other purposes," have had the same under consideration, and have directed me to report the same back to the Senate and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Which was concurred in,
And the bill indefinitely postponed.
By Mr. Brugh, from a select committee :

MR. PRESIDENT :

The select committee, to whom was referred a petition from the

citizens of Blackford and Grant counties, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 108. A bill to constitute a school district from a portion of territory in the counties of Grant and Blackford.

Which was read a first time, and passed to a second reading.
By Mr. Montgomery :

MR. PRESIDENT :

The committee on Federal Relations, to whom was referred a joint resolution of the Senate in reference to a grant of land for educational purposes, have had that subject under consideration, and have directed me to report the same back to the Senate, and recommend its passage :

No. 46. A joint resolution upon the subject of lands for school purposes.

Which was concurred in,
And the bill ordered to be engrossed.
Leave being granted,
Mr. Teegarden submitted the following resolution :

Resolved, That when the Senate adjourn it adjourn till Monday morning, 9 o'clock.

Which was adopted.

BILLS INTRODUCED.

By Mr. Harvey :

No. 109. A bill to incorporate the Plainfield Seminary;
Which was read a first time, and passed to a second reading.

By Mr. Harvey :

No. 110. A bill to change the mode of taking testimony in suits in chancery ;

Which was read a first time and passed to a second reading.

By Mr. Turman :

No. 111. A bill to incorporate the town of Covington, in the county of Fountain ;

Which was read a first time, the rules suspended, the bill read a second time, and,

On motion by Mr. Turman,

The bill referred to the committee on Corporations.

On motion by Mr. Eddy,

Messrs. Teegarden, Ellis, Walker and English were added to the committee on Swamp Lands.

ORDERS OF THE DAY.

Bills on Third Reading.

No. 93. A bill to repeal an act therein named.

Was read a third time and passed.

No. 94. A bill to amend an act entitled an act to restrict the County Commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation, approved January 16, 1848.

Was read a third time and passed.

No. 73. A bill (of the House) to amend an act entitled an act to incorporate the White County Monticello Bridge Company, approved January 15, 1850.

Was read a third time and passed.

No. 101. A bill (of the House) to amend an act entitled an act to incorporate certain turnpike companies therein named, approved January 29, 1839.

Was read a third time and passed.

On motion by Mr. Reid,

No. 61. A bill for the relief and benefit of certain turnpike companies therein named,

Was taken from the table and ordered to be engrossed.

Leave being granted,

Mr. Buckles submitted the following report :

MR. PRESIDENT :

The Judiciary committee, to whom was referred bill of the House, No. 32, an act to repeal section 148, chapter 5, Revised Statutes 1843, have directed me to report it back and recommend its indefinite postponement.

Which was concurred in, and the bill indefinitely postponed.

By Mr. Dunn, from the Judiciary committee :

MR. PRESIDENT :

The committee on the Judiciary, to whom was referred House bill No. 58, entitled "an act to amend an act to exempt from taxation for corporation purposes certain lands within the prescribed limits of the city of Lawrenceburgh," passed and approved 20th January, 1846, have had the same under consideration, and directed me to report it back and recommend that it be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

By Mr. Buckles, from the Judiciary committee :

MR. PRESIDENT :

The Judiciary committee, to whom was referred bill of the House No. 18, fixing the salary of the Auditor of Owen county, have had the same under consideration, and find the provisions of the law upon that subject amply sufficient for the protection of all parties in interest, and have therefore directed me to report said bill back to the Senate, and recommend its indefinite postponement.

The question being on concurring in the report of the committee, The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative, were,

Messrs. Athon, Buckles, Day, Defrees, Dole, Dunn, Ellis, Evans, Hamrick, Harvey, Herod, Holloway, James, Knowlton, Logan, McCarty, Montgomery, Niblack, Odell, Porter, Reid, Turman, Walker, and Winstandley—24.

Those who voted in the negative, were,

Messrs. Adams, Alexander, Brugh, Dawson, Delevan, English, Garver, Goodman, Hanna, Hardin, Henton, Kinnard, Mickel, Miller, Milliken, Sleeth, Teegarden, and Woods—18.

So the report was concurred in, and the bill indefinitely postponed.

SENATE BILLS ON SECOND READING.

No. 90. A bill to incorporate the Ohio, Wabash, and Plank Road Company,

Was read a second time, and,

On motion of Mr. Ellis,

Was referred to the committee on Corporations.

No. 92. A bill to amend the act concerning the per diem allowance for work done on the highway, in the county of Allen,

Was read a second time and ordered to be engrossed.

No. 95. A bill to amend the 12th section of chapter 56 of the Revised Statutes of 1843,

Was read a second time and ordered to be engrossed.

No. 96. A bill to legalize the proceedings of the Alton, Mt. Carmel, and New Albany Railroad Company, and for other purposes,

Was read a second time and ordered to be engrossed.

No. 97. A bill to repeal an act entitled "an act to amend the

statute providing for the taking a change of venue in criminal cases," approved January 16, 1849, so far as relates to the county of Steuben;

Was read a second time, and,

On motion,

Was referred to the Judiciary committee.

No. 98. A bill for the protection of persons and property on railroads;

Was read a second time, and,

On motion,

Referred to the Judiciary committee.

No. 99. A bill to amend an act entitled, "an act to incorporate the Williamsburg and Centerville Turnpike Company," approved January 11, 1849;

Was read a second time, and,

On motion,

Referred to the committee on Corporations.

No. 100. A bill to authorize the taking of newspapers for the State Library;

Was read a second time, and,

On motion,

Referred to the committee on Finance.

No. 101. A bill to repeal an act entitled "an act declaring a certain stream therein named a public highway, in Shelby county;"

Was read a second time and ordered to be engrossed.

No. 102. A bill in relation to deputy clerks;

Was read a second time.

Mr. Harvey moved to indefinitely postpone the bill.

Mr. Dunn moved to lay the bill on the table.

Which motion prevailed.

No. 103. A bill authorizing the Governor, Auditor, and Treasurer of State to borrow money to pay the interest due on the 1st day of July, 1851, and expenses of the Constitutional Convention;

Was read a second time and referred to the committee on Finance.

No. 104. A bill establishing an additional place of holding an election in Clark county;

Was read a second time and ordered to be engrossed.

No. 106. A bill to amend an act entitled, "an act to protect from waste certain lands therein mentioned," approved December 13th, 1849;

Was read a second time and ordered to be engrossed.

HOUSE BILLS ON SECOND READING.

No. 13. A bill to incorporate the Bluffton, Camden, and Winchester Plank Road Company;

Was read a second time and referred to the committee on Corporations.

No. 52. A bill to amend an act regulating the jurisdiction and duties of justices of the peace in the county of Dearborn;

Was read a second time and referred to a select committee consisting of

Messrs. Milliken, Alexander, and Herod.

No. 53. A bill to incorporate the Peru and Andersonstown Plank Road Company;

Was read a second time and referred to the committee on Corporations.

No. 54. A bill to further amend an act entitled, "an act to incorporate the Michigan Road Company," approved January 13th, 1845, and for other purposes;

Was read a second time and referred to the committee on Corporations.

No. 81. A bill to amend an act entitled, "an act to incorporate the Fort Wayne and Bluffton Turnpike Company," approved January 16th, 1849;

Was read a second time and referred to the committee on Corporations.

No. 94. A bill in relation to the service of writs of summons, in actions of law and subpoenas in chancery;

Was read a second time and referred to the Judiciary committee.

No. 95. A bill authorizing the location of a State Road from Hartford, in Blackford county, through New Cumberland, in Grant County, to Kokomo, in Howard county,

Was read a second time, and,

Referred to a select committee, consisting of Messrs. Buckles, Brugh, and Walker.

No. 99. A bill to extend the provisions of the 65th section of chapter 38 of the Revised Code of 1843, so as to embrace within its provisions all persons entitled to pensions, or bounty land, extra pay, or arrears of pay, and for other purposes,

Was read a second time and referred to the Judiciary committee.

No. 102. A bill to locate a State Road on the line dividing Bartholomew and Decatur counties,

Was read a second time and,

On motion,

Referred to the committee on Roads.

Mr. Herod moved to reconsider the vote just taken on committing the bill,

Which was decided in the affirmative, and the bill ordered to a third reading.

No. 106. A bill to amend an act entitled "an act to incorporate the Greensburgh and Brookville Turnpike Company," approved January 15th, 1849,

Was read a second time and,

On motion by Mr. Berry,
The bill was laid on the table.

No. 108. A bill for the relief of the Recorder of Franklin county,

Was read a second time and,

On motion,
Laid on the table.

No. 109. A bill to vacate part of Water street, in the town of Williamsport, in the county of Warren, and State of Indiana,

Was read a second time.

On motion,

The rules were suspended, the bill read a third time, and passed.

No. 113. A bill to repeal an act entitled "an act to amend the road law in Jefferson county,"

Was read a second time, and passed to a third reading.

No. 119. A preamble and joint resolution of the General Assembly of the State of Indiana, relative to the improvement of the falls of the Ohio river,

Was read a second time and referred to the committee on Federal Relations.

Leave being granted, Mr. Porter submitted the following report:

MR. PRESIDENT:

The committee on Federal Relations, to whom was referred a joint resolution of the Senate, No. 23, entitled "a joint resolution on the subject of donating land to the State for the use of the Alton, Mt. Carmel, and New Albany Railroad Company," with its amendments, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend the passage of the original resolution.

The question being on concurring in the report of the committee, Mr. Buckles offered the following amendment:

"And all other Railroads in the State."

Mr. Miller moved to lay the amendment on the table,

Which was decided in the negative.

Mr. Montgomery offered the following amendment to the amendment:

Insert, in the proper place, "and Plank Roads."

Mr. Dole moved to lay the amendments on the table,

Which was decided in the affirmative.

On motion of Mr. Milliken,

The vote just taken was reconsidered.

The question then being on the adoption of Mr. Montgomery's amendment to the amendment,

Was decided in the negative.

Mr. Brugh offered the following amendment to the amendment:

Insert, in the proper place,

"State and county roads that have no railroads, and plank roads."

Mr. Montgomery moved to recommit the bill and pending amendments, with the following instructions:

Amend the bill so that the donation shall be made to the State, to be applied to works of internal improvements.

Mr. English offered the following amendment to the instructions:

Strike out the instructions, and change the resolution so as to memorialize Congress to grant the unsold lands in the State to be disposed of by future legislation.

On motion of Mr. Ellis,

The Senate adjourned.

MONDAY MORNING, January 20, 1851.

The Senate met.

The Journal of Saturday was read and approved.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Garver.

The petition of Joseph Fisher and others to change the name of the town of Nicklesonville,

Which,

On motion by Mr. Garver,

Was laid on the table.

By Mr. Odell.

A petition from citizens of Tippecanoe county on the subject of temperance,

Which was referred to the committee upon that subject.

REPORTS FROM STANDING COMMITTEES.

By Mr. Buckles.

MR. PRESIDENT:

The Judiciary committee, pursuant to the instructions by resolution of the Senate, to inquire into the expediency of so amending

the criminal law as to make the granting of changes of venue discretionary with the court, have had the same under consideration, and directed me to report that, in the opinion of your committee, such a change would be inexpedient, for the reasons,

1st. That the object of changes of venue in criminal causes is to insure to the accused a fair and impartial trial.

2nd. To secure such trial it is necessary that it be had before a tribunal entirely free from prejudice, or the influence of popular indignation.

3rd. That when the granting of such change is discretionary with the court supposed to be prejudiced, or influenced by improper motives, the power of defeating said change, and forcing the accused to trial regardless of consequences, is discretionary likewise. This your committee deems incompatible with the spirit of our free institutions. Your committee, therefore, most respectfully recommends the indefinite postponement of the subject matter of said resolution, and ask to be discharged from the further consideration thereof.

Which was concurred in.
By Mr. Reid;

MR. PRESIDENT:

The Judiciary committee, to whom was referred a resolution of the Senate, inquiring whether there are any laws now in force making it a criminal offence to attempt to burn any dwelling house, &c., have had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 112. A bill in relation to crime and punishment.

Which was read a first time and passed to a second reading.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the House, No. 68, to repeal an act entitled an act to amend section 101, of chapter 38, of the Revised Statutes of 1843, prohibiting deputy clerks from practising law, so far as said act relates to the county of Boone, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage.

Mr. Dunn moved to amend the bill by inserting "the counties of Lawrence and Martin" to the provisions of the bill.

Which amendment was adopted and the bill ordered to a third reading.

By Mr. Reid;

MR. PRESIDENT:

The Judiciary committee to whom was referred resolution of the Senate inquiring whether persons residing in corporate towns and cities are liable to work on the public highways out of said towns or cities, have had the same under consideration, and directed me to report the following declaratory bill, and to recommend its passage:

No. 113. A bill for the relief of persons residing in incorporate cities, or towns, so far as relates to working on the public roads.

Which was read a first time and ordered to a second reading.
By Mr. Hanna;

MR. PRESIDENT:

The committee on the Judiciary, to which was referred House bill No. 17, have directed me to report the same back with one amendment, to-wit: insert the word "Lawrence," after the word "Allen," and make the amendment applicable to both counties, after which they recommend its passage.

No. 17. A bill to repeal an act therein named.

Which was concurred in, the amendment adopted, and the bill ordered to a third reading.

Joint resolution No. 23 was taken up.

The question being on referring the joint resolution to the committee on Federal Relations, together with the instructions proposed by Mr. English,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Berry, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Eddy, Ellis, English, Evans, Garver, Hardin, Harvey, Henton, Holloway, Kinnard, Knowlton, Logan, Mickle, Montgomery, Odell, Reid, Sleeth, Teegarden, Turman, and Walker—29.

Those who voted in the negative, were,

Messrs. Athon, Cravens, Dunn, Goodman, Graham, Hamrick, Hanna, Herod, James, Miller, Milliken, Niblack, Porter, and Windstandley—14.

It was so referred.

Mr. Dunn submitted the following report:

MR. PRESIDENT:

The committee on Federal Relations, to whom was referred joint

resolution of the House, No. 92, a joint resolution giving the right of purchase to the United States of a site for the erection of a marine hospital, at Evansville, Indiana, have had the same under consideration, and instructed me to report the same back to the Senate, with the following amendments, to-wit: in the resolution strike out the word "Evansville," and insert "New Albany;" and also, "Vanderburg," and insert "Floyd," and to recommend the passage of said resolution, with such amendments.

Mr. Graham moved to lay the amendments on the table.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Berry, Brugh, Buckles, Day, Defrees, Delevan, Dole, Eddy, Ellis, Evans, Garver, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Holloway, James, Kinnard, Knowlton, McCarty, Mickle, Milliken, Montgomery, Niblack, Odell, Reid, Sleeth, Teegarden, Turman and Walker—36.

Those who voted in the negative were,

Messrs. Athon, Cravens, Dunn, English and Winstandley—5.

So the amendment was laid on the table, the rules suspended, the joint resolution read a third time and passed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations to whom was referred Senate bill No. 80, entitled a bill to re-organize the Evansville Insurance Companies, chartered under the several acts of February 8, 1836, and January 21, 1850," have had the same under consideration; and a majority of the committee have directed me to report the bill back to the Senate and recommend its passage;

When,

Mr. McCarty moved to amend as follows:

Provided, It shall not be lawful for said company, directly or indirectly, to charge or receive a greater rate of interest on notes, bills or other evidences of debt, and no greater rate of exchange than the State Bank of Indiana is now allowed by law to receive, or as may hereafter be the current rate of exchange; and that it shall not be lawful for said company to charge or receive any compensation for endorsing or insuring the payment of any bond, bill, note, or other instrument of indebtedness, and so much of section thirteen of

the act of incorporation of said company, approved February 8, 1836, and all acts inconsistent with this amendment be, and the same are hereby repealed. This amendment shall not be so construed as to interfere with the business of bona fide insurance by said company, or the issuing of policies of insurance against loss by fire, or any kind of risk on property in course of transportation, or otherwise, and the charging and receiving such a rate of premium as may be agreed upon between the parties.

Provided, That said company shall not be authorized to receive or accept any part of this amendment without accepting the whole, and an acceptance of any part of the amendment shall be taken as conclusive evidence that the company have accepted the whole provisions of this act;

Which was adopted.

Mr. Graham offered the following amendment:

SEC. —. That if said company chartered by the said act, approved February 8, 1836, shall fail to assent to the provisions of this act and by reason thereof, the said companies should not be re-organized and consolidated under the provisions of this act in the manner herein before provided for, then and in that case it shall be lawful for the president and directors of said company, chartered by the said act, approved January 21, 1850, to increase the capital stock of said company to any amount not exceeding two hundred dollars and also, to adopt or assume any other corporate name for said company or make any change in, or addition to its present corporate name, which said president and directors may deem necessary to distinguish said company from the other company, chartered by said first mentioned act, and the resolution changing said corporate name shall be recorded in the books of said company, and a copy thereof certified by the president and secretary of said company, shall be recorded in the Recorder's office of Vanderburgh county, and thereafter said company shall be known by the name so adopted, and the same shall be valid to all intents and purposes as if said company had been originally incorporated by that name;

Which was adopted.

Mr. Ellis offered the following amendment:

Provided, That the power to alter, amend or repeal this act shall not be exercised, unless sixty days' notice of the intention to exercise such power shall have been given to said company, which notice shall set forth specifically the causes for such amendment, alteration or repeal and may be given by personal service of such notice on the president or any two of the directors of said company, or by publishing the same for three weeks successively in any public newspaper of general circulation printed and published in Vanderburgh county.

Which was adopted, and the bill ordered to be engrossed.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations to whom was referred Senate bill No. 85, have instructed to report the same to the Senate and recommend its passage.

No. 85. A bill to amend an act entitled an act to incorporate the Harrison Drawbridge Company.

Which was ordered to be engrossed.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill No. 70, entitled a bill to incorporate the Wabash Railroad Company, have had the same under consideration and the majority of said committee have directed me to report it back to the Senate with sundry amendments upon the adoption of which, recommend its passage.

Add the following at the end of the 2d section:

1st. *Provided*, That so much of the act entitled an act to incorporate the Evansville and Illinois Railroad Company, approved January 2, 1849, as authorizes or requires the construction of a Railroad from Princeton to the Illinois State line, at or near Mt. Carmel, is hereby repealed, and the railroad hereby contemplated shall not be extended to said point or connected with by a branch;

Which was adopted.

2d. Strike out in the 9th section the words "one hundred and" so as to read "not exceeding fifty feet;"

Which was adopted.

3d. Amend by striking out in the 15th section the word "materially," in the 9th line in said section;

Which was adopted.

Mr. Ellis moved to reconsider the vote just taken on striking out the word materially;

Which was decided in the negative.

4th. Amend section 16, by adding to the end of said section the following, "provided that the main line shall be constructed before any lateral branch thereof, and that no lateral branch shall at any time be constructed of a greater length than 15 miles;

Which was adopted.

5th. Insert after the words "may pass" in section 19, except the county of Knox;

Which,

On motion by Mr. Hanna, was

Laid upon the table.

6th. Insert after the words "may run" in section 28, except the county of Knox;

Which was laid upon the table.

Mr. Ellis offered the following amendments:

1st. Strike out of second section at the northern terminus of the Railroad of the Evansville and Illinois Railroad company, at whatever point north the same shall or may be hereafter completed to, under its charter, approved January 2, 1849, or under the amendment thereto, approved January 21, 1850.

2d. And insert, "at Vincennes." Insert after "Montgomery counties" in same section, and to extend south from Vincennes so as to connect if thought advisable with the northern terminus of the Evansville and Illinois Railroad Company, as provided for in the charter thereof, approved January 2, 1849, and the amendment thereto, approved January 2, 1850.

3rd. Add at close of same section,

"*Provided*, in such location no point named in this charter shall be in any way avoided."

Which were adopted.

Mr. Cravens offered the following amendments:

Amend said bill by striking out all in relation to the counties taking stock in their corporate capacities.

On motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate the following communication from the Blind Asylum:

INDIANA INSTITUTION FOR THE BLIND,
INDIANAPOLIS, January 20th, 1851.

President of the Senate—Sir:—I send you, herewith, seventy tickets for the admission of the members of the Senate, together with some of their friends from a distance, to an exhibition of the attainments of the pupils of our Institute, which is to be given at Concert Hall, this evening, the 20th inst., commencing at half past 6 o'clock.

As the design of this exhibition is to enable the members of the Legislature, and Constitutional Convention to judge of the condition and management of our Institute, and the progress of its pupils, we have deemed it necessary, for the successful carrying out of this object, to limit the audience mainly to those connected with the two bodies mentioned, together with the officers of State, and of the several benevolent institutions. We have furnished you with some

extra tickets, which are designed for the use of such of your friends as are strangers in the city. Our own citizens having frequent opportunities of this kind, should not receive these tickets in preference to others from abroad.

The tickets will admit only one person each, and no one will be admitted who shall not have been furnished with a ticket.

Yours,

Respectfully,

W. H. CHURCHMAN.

The Senate then resumed the consideration of bill No. 70.

The question being on the adoption of the amendment proposed by Mr. Cravens,

When,

On motion by Mr. Hanna,

The amendment was laid on the table.

Mr. Ellis moved to take from the table the amendments proposed by the committee,

Which was decided in the negative.

Mr. Dunn offered the following amendment:

Add at the close of section 15 as follows:

Nor shall said company be permitted to erect or maintain in or over any such water course, or water courses, any impediment, or obstruction, whereby the free passage of all, or any, of the citizens of the United States shall be in any way hindered, or delayed, in navigating, and passing upwards and downwards upon said water course, or water courses, with any and all vessels, and water crafts, which may now, or hereafter, be in use in navigating the waters of the river Ohio, or any of its tributaries.

Which was adopted, and the bill ordered to be engrossed.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 24, to amend the charter of the Evansville and Illinois Railroad Company, have had the same under consideration, and have directed me to report the same back, with amendments, and upon their adoption, recommend its passage.

Amend the first section by striking out the proviso and inserting the following:

Provided, however, That if the Martinsville and Franklin Railroad Company shall have commenced, in good faith, the construction of the proposed road between Martinsville and Point Commerce, by the time the said Evansville and Illinois Railroad Company shall have completed their road to a point at or near Point Commerce, then, and in that case, said Evansville and Illinois Railroad Company shall not construct a road between the points last aforesaid named,

but shall connect with the said Martinsville and Franklin Railroad, on such terms and conditions as may be mutually agreed upon; but if said Martinsville and Franklin Railroad Company shall not have commenced, in good faith, the construction of said road by the time the said Evansville and Illinois Railroad Company shall have finished their road to a point at or near Point Commerce; or, having commenced, shall afterwards abandon the same, then, and in that case, the said last named company shall have the power, right, and privilege to continue and construct said road.

Amend the 4th section by adding the following at the end thereof:

Provided, That the said Railroad Company may, in like manner, as is provided in this section, file a written complaint before a justice of the peace against any person, or persons, interested therein for the purpose of having such roadway, or depot ground, condemned, and damages assessed.

Amend section 8 as follows:

Strike out the words in the first line "in any company," and insert the words "in the Martinsville and Franklin Railroad Company."

Amend the 11th section as follows:

Strike out the word "fifteenth," in the second line of said section.

Amend the 10th section by adding to the end thereof the following:

The said railroad herein contemplated shall be commenced within five years from the passage of this act, and completed within fifteen years thereafter; otherwise, this act shall be void, unless further time shall be given by the General Assembly;

Which,

On motion by Mr. Hardin,

Was laid on the table.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 81, to repeal an act therein named, in relation to the election of county prosecutors, have had the same under consideration, and directed me report it back to the Senate with the accompanying amendments, and when said amendments are adopted, recommend the passage of said bill.

1st. Amend the second section by striking out the proviso.

2nd. Add the following proviso to the third section:

After the word "passage," in the third line of said section, *provided, however,* that said prosecutors shall hold their offices for the term of two years from and after their election, and until a successor is elected and qualified.

Which was adopted.

Mr. Reid offered the following amendment:

Provided, That the prosecuting attorneys in the counties composing the 6th Judicial circuit shall hold their offices during the present terms.

When,

Mr. Milliken offered the following amendment to the amendment:
Add the 13th Judicial circuit;

Which was not adopted.

When,

Mr. Buckles moved to lay Mr. Reid's amendment on the table,
Which was decided in the affirmative.

Mr. McCarty moved to amend by excepting Marion county from the provisions of the act;

Which was not adopted.

Mr. Mickle moved to amend by excepting the 12th Judicial circuit;

Which was not adopted.

Mr. Dole moved to reconsider the vote taken on adopting the amendment proposed by the committee.

The ayes and noes were demanded by two Senators, and they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Berry, Brugh, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Dole, English, Evans, Goodman, Hamrick, Hardin, Harvey, Henton, James, Kinnard, Knowlton, McCarty, Mickle, Miller, Milliken, Niblack, Odell, Porter, Reid, Sleeth, Walker, Windstandley, and Woods—33.

Those who voted in the negative were,

Messrs. Athon, Dunn, Ellis, Garver, Herod, Holloway, Logan, Marshall, Teegarden, and Turman—10.

So the Senate reconsidered.

On motion by Mr. Dole,

The second amendment proposed by the committee was laid on the table,

And the first and third amendments proposed by the committee, were adopted,

And the bill ordered to be engrossed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate, that the House have passed the following engrossed bill of the Senate:

No. 43. An act relative to the Jeffersonville Association;
Without amendment.

By Mr. Milliken;

MR. PRESIDENT:

The select committee to whom was referred bill of the House, No. 52, in relation to the jurisdiction of justices of the peace in Dearborn county, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage:

No. 52. An act to amend an act regulating the jurisdiction and duties of justices of the peace in the county of Dearborn;

Was read a second time, and ordered to a third reading.

By Mr. Milliken;

MR. PRESIDENT:

The select committee to whom bill of the Senate, No. 84, was referred, have had it under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage:

No. 84. A bill to amend an act entitled an act to incorporate the Indiana Canal Company;

Which,

On motion by Mr. Winstandley,

Was referred to the committee on Corporations.

By Mr. Dole;

MR. PRESIDENT:

The select committee to whom was referred Senate bill No. 83, entitled a bill to incorporate the Covington and Danville Plank Road Company, and also, a petition on behalf of said company, have had the same under consideration, and directed me to report said bill back to the Senate with the following amendments and recommend its passage:

Amend section 10 by adding,

Provided, That said justice in assessing such damages, shall not take into consideration the advantages of the road to the owners of such material:

Amend section 11 immediately after the words "cause notices to be put up in three public places in the township," by inserting "and

also the same in a newspaper published in the county, or in some paper having general circulation in the county."

Amend section 18 by adding—

Provided however, That said company shall proceed without unnecessary delay, to the construction of the residue of the first four miles of said road;

Which amendments were adopted, and the bill ordered to be engrossed.

RESOLUTIONS INTRODUCED.

By Mr. English;

Resolved, That the committee on Finance be requested to enquire into the propriety and justice of stopping the rents of the Lessee of the State Prison during the time of the cholera prevailing in said prison, and report to the Senate what would be just and equitable in the case;

Which was adopted.

By Mr. Buckles;

Resolved, That the committee on Finance be instructed to enquire into the expediency of so amending section one hundred of chapter twelve, article four of the revised statutes of A. D. 1843, as to reduce the penalty on lands sold for delinquent taxes from fifty to twenty per centum, also, to enquire into the expediency of making the following amendment to the ninety-eighth section of chapter twelve, of revised statutes of 1843, after the word "described," in the last line of said section add, "at the expiration of two years from the date thereof," with leave to report by bill or otherwise;

Which was adopted.

By Mr. English;

Resolved, That the Governor be requested to furnish to the committee on Claims any and all the information he may have in possession relative to the claim of Mrs. Black against the State;

Which was adopted.

By Mr. Athon;

Resolved, That the committee on the Judiciary be requested to enquire into the expediency of repealing section 4, chapter 47, of the revised code of 1843;

Which was adopted.

By Mr. Harvey;

Resolved, That the committee on Benevolent Institutions be instructed to inquire into the expediency of providing by law for the establishing of a State Orphan Asylum; and that said committee report by bill or otherwise;

Which was adopted.

By Mr. Dunn;

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of repealing or modifying the laws now in force, requiring property sold on execution or any order or decree of any court in this State, to be appraised and sold under restrictions with reference to its value, and that they report by bill or otherwise;

Which was adopted.

By Mr. Miller;

Resolved, That the committee on Military affairs be requested to enquire if there is any law now in force to compel military officers to train their respective regiments and companies, and report the strength of the same; and if there is such law in force, that said committee will enquire into the expediency of having a law exempting said officers from their oath on that subject;

Which was adopted.

BILLS INTRODUCED.

By Mr. Herod;

No. 114. A bill to amend an act entitled "an act to incorporate the Trustees of the Hartsville Academy," approved January 12th, 1850;

Which was read a first time and passed to a second reading.

By Mr. Garver;

No. 115. A bill to change the name of the town of Nicklesonville;

Was read a first time and ordered to a second reading.

By Mr. Niblack;

No. 116. A bill to amend an act concerning free negroes and mulattoes, servants, and slaves, approved February 10, 1831;

Which was read a first time and ordered to a second reading.

By Mr. Marshall;

No. 117. A bill to authorize the Madison and Indianapolis Railroad Company to change the location of part of said road;

Which was read a first time and ordered to a second reading.

By Mr. James;

No. 118. A bill to exempt from taxation the Marine Hospital at Evansville, Indiana;

Which was read a first time and ordered to a second reading.

By Mr. Defrees;

No. 119. A bill to incorporate the Goshen and Plymouth Plank Road Company;

Which was read a first time and ordered to a second reading.

By Mr. Berry;

No. 120. A bill to incorporate the Commercial Railroad Company;

Which was read a first time and ordered to a second reading.

By Mr. Dunn;

No. 121. A bill in relation to the jurisdiction of justices of the peace;

Which was read a first time and ordered to a second reading.

By Mr. Knowlton;

No. 122. A bill to extend further time to the borrowers of trust funds;

Which was read a first time and ordered to a second reading.

By Mr. Berry;

No. 123. A bill to incorporate the New Trenton and Southgate Bridge and Road Company;

Which was read a first time and ordered to a second reading.

By Mr. Berry;

No. 124. A bill to amend the act incorporating the Brookville and Connersville Turnpike Company;

Was read a first time and passed to a second reading.

By Mr. Athon;

No. 125. An act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849;

Which was read a first time and passed to a second reading.

By Mr. Sleeth;

No. 126. A bill to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company," approved January 21st, 1850;

Which was read a first time and passed to a second reading.

By Mr. Athon;

No. 127. An act to amend chapter four of the revised code of 1843;

Which was read a first time and passed to a second reading.

By Mr. Montgomery;

No. 128. A bill to amend an act entitled "an act to incorporate the Warren County Canal Company;"

Which was read a first time and passed to a second reading.

On motion by Mr. Buckles,

The Senate adjourned.

TUESDAY MORNING, January 21st, 1851.

The Senate met.

Reading of the Journal dispensed with.

PETITIONS INTRODUCED.

By Mr. Turman;

A petition from 51 citizens of Fountain county, praying the Legislature to make no further appropriations to defray the expenses of the Constitutional Convention of Indiana.

Which was referred to the committee on Finance.

By Mr. Marshall;

A petition upon the subject of colonization.

Which was read and referred to the committee on Federal Relations.

By Mr. Turman;

A petition for the advancement of medical science.

Which was referred to the committee on Benevolent Institutions.

REPORTS OF STANDING COMMITTEES.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the Senate, No. 97, to repeal an act entitled an act to amend the Statute providing for the taking a change of venue in criminal cases, approved January 16th, 1849, so far as the same relates to the county of Steuben, have had the same under consideration, and directed me to report that it is represented to your committee that a large and respectable portion of the citizens of said county desire said change; your committee, therefore, deem it proper to report the bill back for the action of the Senate, without recommendation, and ask to be discharged from the further consideration thereof.

On motion,

The committee were discharged, and the bill ordered to be engrossed.

By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred House

bill No. 94, an act in relation to the service of writs of summons in actions of law, and subpoenas in chancery, have had the same under consideration, and instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in and the bill ordered to a third reading.
By Mr. Dunn;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred House bill No. 99, have had the same under consideration and instructed me to report the same back to the Senate with a recommendation that it be indefinitely postponed.

No. 99. A bill to extend the provisions of the 65th section of chapter 38, of the Revised Code of 1843, so as to embrace within its provisions all persons entitled to pensions, or bounty land, extra pay, or arrears of pay, and for other purposes.

Which was concurred in and the bill indefinitely postponed.

On motion by Mr. English,
The vote was reconsidered on indefinitely postponing bill 99.
When,

On motion by Mr. Eddy,
The bill was laid upon the table.

On motion by Mr. Ellis,
The vote ordering bill No. 94 to a third reading was reconsidered.
When,

On motion,
The bill was laid upon the table.
By Mr. Woods;

MR. PRESIDENT:

The committee on Education to whom was referred bill of the Senate No. 19, entitled a bill to amend an act entitled an act to increase and extend the benefits of common schools, have had the same under consideration, and directed me to report the same back to the Senate, and recommend that it be indefinitely postponed.

Which was not concurred in;

When,
On motion by Mr. Defrees,
The bill was laid on the table.
By Mr. Turman;

MR. PRESIDENT:

The committee on Education to whom was referred House bill

No. 90, entitled an act to enable the qualified voters of school district No. 7, T. 36, R. 3 west, in Laporte county, to levy a tax in said district for the purpose of building a school house, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

Which was concurred in and the bill ordered to a third reading.
By Mr. Dawson;

MR. PRESIDENT:

The committee on Education to whom was referred bill of the House No. 82, entitled an act to amend section 13, of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes, have had the same under consideration, and have instructed me to report it back with one amendment, and when so amended recommend its passage:

Amend 1st section as follows:

After the words "for the purpose of building a school house as," insert "a majority of;"

Which was concurred in, the amendments adopted, and the bill ordered to a third reading.

By Mr. Mickle:

MR. PRESIDENT:

The committee on Education, to whom was referred a resolution of the Senate requiring said committee to inquire into the expediency of so amending the school law that the township treasurer may make semi-annual instead of annual dividends to the school districts, have had that subject under consideration, and directed me to report that, in the opinion of the committee, legislation on that subject is inexpedient, and ask to be discharged from the further consideration of the subject.

Which was concurred in.
By Mr. Holloway;

MR. PRESIDENT:

The committee on Education, to which was referred House bill No. 56, entitled "an act to authorize the sale of school land in Perry county," have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

By Mr. Athon:

MR. PRESIDENT:

The standing committee on the State's Prison, to whom was referred the report of the Superintendent of prison buildings, relative to constructing a sewer at said prison, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 129. A bill for the construction of a sewer at the State Prison.

Which was read a first time and the bill ordered to a second reading.

On motion by Mr. Hardin, Bill of the House, No. 24, was taken from the table, and the amendments adopted, and the bill ordered to a third reading.

By Mr. Delevan, from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Morgan county asking that a certain stream therein named should be declared a public highway, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 130. A bill declaring Millcreek to be a public highway.

Which was read a first time and ordered to a second reading.

BILLS INTRODUCED.

By Mr. Winstandley;

No. 131. A bill to incorporate the New Albany Hotel Company. Which was read a first time, and ordered to a second reading.

By Mr. Eddy;

No. 132. A bill for the relief of the administrator of the estate of Albert Morrison, late of St Joseph county, deceased.

Which was read a first time and ordered to a second reading.

On motion by Mr. Cravens,

The vote ordering bill No. 24 to a third reading was reconsidered; And the bill referred to the Judiciary committee.

The following message was received from his excellency, the Governor, by his private Secretary, Mr. Noel:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed the following bills:

No. 47. An act to incorporate the Ayers University.

No. 39. An act to amend the act entitled "an act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847, and the several acts amendatory of said act.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following enrolled bill thereof:

No. 330. An act for the relief of Ann Blythestone, of Allen county;

The objections of the Governor to the contrary notwithstanding, which, together with the objections, I am directed to bring to the Senate.

To the House of Representatives:

GENTLEMEN—The accompanying bill, entitled, an act for the relief of Ann Blythestone, of Allen county, No. 330, was passed at the last session of the General Assembly, but not having been presented to me for approval until within the last two days before the final adjournment, the same is now returned as provided by the Constitution, with my reasons briefly stated for withholding my signature.

The principle involved in this bill is, that of referring claims upon the treasury to the final adjustment of persons wholly irresponsible, to tribunals specially constituted, thereby involving additional expenses, &c.

The Legislature itself possesses the power to decide all such claims. It has the right to send for persons and papers, to appoint the appropriate committees to investigate the claims of our citizens against the State. If such claims are just, they should be allowed and paid. It is far better to appropriate the money direct, than in this indirect manner to cripple the treasury, by subjecting it to demands uncertain in amount, and frequently unjust in their character.

If the principle of referring claims upon the treasury to self-constituted and wholly irresponsible tribunals for adjustment is adhered to, we shall lose sight of the doctrine of the responsibility of representatives to their constituents in the appropriations of the public money.

The correct rule is, that the members of each session are and should be responsible for their own acts; and that no money or

claims should be appropriated or allowed, either directly or indirectly, without making, at the same time, provision for their payment by taxation or otherwise. Do not refer a matter of dollars and cents against the State to any tribunal for investigation. It is your province to decide it yourselves.

The people have a clear right to ask their representatives to vote directly upon all appropriations of money from the public treasury. The State has suffered greatly when the Legislature has been persuaded to create special tribunals to settle long standing or rejected claims.

This claim may be a meritorious one. If you should believe it is just and proper, appropriate the amount directly, and I am sure you will hear no objection from me. It is the *principle* involved which induces me, in accordance with the rule that I have laid down for my government in my first address to the Legislature, to return this bill, and to ask at your hands a reconsideration of the same.

JOSEPH A. WRIGHT.

December 31, 1850.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

Those who voted in the affirmative were,

Messrs. Dawson, Day, Eddy, Henton, Marshall, Mickle, Montgomery, Niblack, Teegarden and Walker—10.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Brugh, Cravens, Defrees, Delevan, Dole, Dunn, Ellis, English, Evans, Garver, Goodman, Hamrick, Hanna, Harvèy, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, McCarty, Miller, Milliken, Odell, Porter, Reid, Sleeth, Turman, Winstandley and Woods—34.

So the bill did not pass.

By Mr. Montgomery;

No. 133. A bill to incorporate the Sandusky, Lafayette and Springfield Railroad Company;

Was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Garver;

No. 134. A bill for the relief of John Fryberger;

Which was read a first time, and passed to a second reading.

By Mr. Niblack;

No. 135. A bill to amend section second of an act entitled an act to amend the laws relating to the execution of deeds by order of the Probate Court, approved January 15, 1849.

Which was read a first time, and passed to a second reading.

By Mr. Mickle;

No. 136. A bill for the relief of Ann Blythestone;

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on claims.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills of the Senate—

No. 9. An act authorizing the Probate Judge of Hamilton county to appoint an administrator on the estate of John S. Massey, deceased.

No. 48. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana.

No. 57. An act to vacate the streets and alleys in the town of Fairview, Montgomery county.

No. 62. An act to amend section 29 of the act to incorporate the Fort Wayne and Columbia Plank Road Company.

No. 105. An act to change the time of holding Probate courts in the county of Vermillion.

Without amendment.

Also the following message was received from the House of Representatives;

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled acts of the Senate—

No. 2. An act to change the name and extend the corporate privileges of the Perry Cotton Mill at Cannelton.

No. 5. An act to incorporate the town of Vernon, Jennings county, Indiana.

No. 7. An act to incorporate the Cannelton Levee and Draining Company.

No. 16. An act to amend an act entitled an act to incorporate the Richmond and Williamsburgh Turnpike Company, approved January, 16, 1849.

No. 25. An act to authorise the Auditor of Harrison county, to make a deed therein named.

No. 45. An act declaring a misprint in an act, approved January 16, 1849.

No. 51. An act to increase the per diem allowance of the Probate Judge of the Probate Courts of Montgomery and Madison counties.

No. 52. An act to incorporate the Sparta and Napoleon Turnpike Company.

No. 57. An act to pay counsel in certain cases.

No. 72. An act in relation to the January term, A. D. 1851, of the Probate Court of Martin county.

ORDERS OF THE DAY.

Senate Bills on their Third Reading.

No. 46. A joint resolution upon the subject of lands for school purposes;

Was read a third time, and passed.

No. 61. A bill for the relief and benefit of the College Corner and Liberty Turnpike Company, the Liberty and Abbingdon Turnpike Company, and the Liberty and Brownsville Turnpike Company;

Was read a third time and passed.

No. 92. A bill to amend the act concerning the per diem allowance for work done on the highway, in the county of Adams;

Was read a third time and passed.

No. 95. A bill to amend the 12th section of chapter 56 of the Revised Statutes of 1843,

Was read a third time and passed.

No. 96. A bill to legalize the proceedings of the Alton, Mt. Carmel, and New Albany Railroad Company, and for other purposes,

Was read a third time and passed.

No. 101. A bill to repeal an act entitled "an act declaring a certain stream therein named a public highway in Shelby county," approved January 21, 1850.

Was read a third time and passed.

No. 104. A bill establishing an additional place of holding an election in Clark county;

Was read a third time and passed.

No. 106. A bill to amend an act entitled an act to protect from waste certain lands therein mentioned, approved December 13, 1849.

Was read a third time and passed.

BILLS OF THE HOUSE ON THIRD READING.

No. 33. A bill to authorize County Auditors to appoint deputies; Was read a third time and passed.

No. 50. A bill to repeal an act entitled "an act to incorporate the LaGrange Phalanx," approved January 13th, 1845;

Was read a third time and passed.

No. 102. A bill to locate a State road on the line dividing Bartholomew and Decatur counties;

Was read a third time and passed.

No. 113. A bill to repeal an act entitled "an act to amend the road law in Jefferson county;

Was read a third time and passed.

SENATE BILLS ON THIRD READING.

No. 80. A bill to re-organize the Evansville Insurance Companies, chartered under the several acts of February 8th, 1836, and January 21st, 1850;

Was read a third time and passed.

No. 81. A bill to repeal an act therein named, relative to the election of county prosecutors;

Was read a third time,

The question being, shall the bill pass?

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Brugh, Buckles, Cravens, Defrees, Delevan, Eddy, English, Garver, Hanna, Harvey, Henton, Herod, Holloway, James, Knowlton, Niblack, Porter, Teegarden, Turman, Walker, and Winstandley—23.

Those who voted in the negative were,

Messrs. Alexander, Dawson, Day, Dole, Dunn, Ellis, Evans, Goodman, Hamrick, Kinnard, Logan, Marshall, McCarty, Mickle, Miller, Milliken, Montgomery, Odell, Reid, Sleeth, and Woods—21.

So the bill passed.

No. 83. A bill to incorporate the Covington and Danville Plank Road Company;

Was read a third time and passed.

No. 70. A bill to incorporate the Wabash Railroad Company;

Was read a third time and passed.

No. 85. A bill to amend an act entitled "an act to incorporate the Harrison Draw Bridge Company;"

Was read a third time and passed.

HOUSE BILLS.

No. 17. A bill to repeal an act therein named,
 Was read a third time and passed.
 Mr. Niblack moved to reconsider the vote taken on the passage of
 bill No. 70,
 Which motion prevailed.
 The question then being on the passage of the bill,
 The ayes and noes being demanded by two Senators, were or-
 dered.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Brugh, Cravens, Dole, Dunn, Eddy, Ellis,
 English, Evans, Garver, Goodman, Hamrick, Hanna, Harvey,
 Henton, Herod, Holloway, James, Knowlton, Miller, Montgomery,
 Odell, Porter, Teegarden, Walker, and Windstanley—27.

Those who voted in the negative were,

Messrs. Alexander, Buckles, Dawson, Day, Delevan, Kinnard,
 Marshall, Mickel, Niblack, Reid, Sleeth and Woods—12.

So the bill passed.

No. 52. A bill to amend an act regulating the jurisdiction and
 duties of justices of the peace in the county of Dearborn;

Was read a third time and passed.

No. 68. A bill to repeal an act therein named;

Was read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 107. A bill authorizing licensed merchants to vend clocks;
 Was read a second time and,

On motion,

Referred to the Judiciary committee.

No. 109. A bill to incorporate the Plainfield Seminary;

Was read a second time and referred to the committee on Corpo-
 rations.

No. 108. A bill to constitute a school district from a portion of
 territory in the counties of Grant and Blackford;

Was read a second time and ordered to be engrossed.

No. 110. A bill to change the mode of taking testimony in suits
 in chancery;

Was read a second time and referred to the Judiciary committee.

No. 112. A bill in relation to crime and punishment;

Was read a second time and referred to the Judiciary committee.

No. 113. Bill for the relief of persons residing in incorporate
 cities, or towns, so far as relates to working on the public roads.

Was read a second time and referred to the committee on roads.

No. 114. A bill to amend an act entitled an act to incorporate
 the Hartsville academy, approved January 12th, 1850.

Was read a second time and ordered to be engrossed.

No. 115. A bill to change the name of the town of Nickleson-
 ville.

Was read a second time and ordered to be engrossed.

No. 116. A bill to amend an act concerning free negroes and
 mulattoes, servants and slaves, approved February 10th, 1831.

Was read a second time,

When,

On motion by Mr. Milliken;

The bill was laid on the table.

On motion by Mr. Woods;

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. James moved to reconsider the vote taken on

No. 81. A bill relative to prosecuting attorneys,

And the Senate refused to reconsider.

No. 117. A bill to authorize the Madison and Indianapolis Rail-
 road Company to change the location of part of said road.

Was read a second time and referred to the committee on Corpo-
 rations.

No. 118. A bill to exempt from taxation the Marine Hospital at
 Evansville, Indiana.

Was read a second time and ordered to be engrossed.

No. 119. A bill to incorporate the Goshen and Plymouth Plank
 Road Company.

Was read a second time and referred to the committee on Corpo-
 rations.

No. 120. A bill to incorporate the Commercial Railroad Com-
 pany.

Was read a second time and referred to the committee on Corpo-
 rations.

No. 121. A bill in relation to the jurisdiction of justices of the
 peace.

Was read a second time and referred to the Judiciary committee.

No. 122. A bill to extend further time to the borrowers of Trust Funds.

Was read a second time and ordered to be engrossed.

No. 123. A bill to incorporate the New Trenton and Southgate Bridge and Road Company.

Was read a second time and referred to the committee on Corporations.

No. 124. A bill to amend the act incorporating the Brookville and Connersville Turnpike Company.

Was read a second time and referred to the committee on Corporations.

No. 125. A bill to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849.

Was read a second time, when

Mr. Reid moved to refer the bill to the committee on Corporations;

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Buckles, Dawson, Day, Delevan, Eddy, Evans, Goodman, Hunt, Kinnard, Mickle, Miller, Milliken, Montgomery, Odell, Reid, Sleeth, Teegarden, Walker and Woods—20.

Those who voted in the negative were,

Messrs. Allen, Athon, Brugh, Cravens, Dole, Dunn, English, Graham, Hamrick, Harvey, Henton, Herod, Holloway, James, Knowlton, Marshall, McCarty, Niblack, Porter, and Winstandley—20.

So the motion did not prevail, and the bill was ordered to be engrossed.

No. 126. A bill to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company."

Was read a second time and referred to the committee on Corporations.

No. 127. A bill to amend chapter 4, of the Revised Code of 1843.

Was read a second time, and ordered to be engrossed.

No. 128. A bill to amend an act entitled an act to incorporate the Warren County Canal Company;

Was read a second time, and

On motion by Mr. Buckles,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate—

No. 15. An act for the relief of Joseph Allen of Crawford county;

With one amendment, to which amendment the concurrence of the Senate is respectfully requested.

The question being on concurring in the engrossed amendment of the House to the engrossed bill of the Senate.

The Senate refused to concur.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof, to-wit:

No. 8. An act to provide for electing Supervisors by districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, Lagrange, Tipton, Clinton and Harrison.

No. 14. An act defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin, Washington, Marshall, Fulton, Starke, Clinton, Scott, Randolph and Johnson counties.

No. 47. An act relative to the election and appointment of Constables.

No. 60. An act relative to Plank Roads.

No. 78. A joint resolution in relation to the bounty land law of Congress, of September 18, 1851.

No. 97. An act relative to the practice of law.

No. 117. An act to reduce the fees of the Recorder of Greene county.

No. 123. An act authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate.

No. 144. An act to change the time of holding the February term of the Crawford Probate court.

No. 148. An act to change the name of Mount Wallaston in White county, to Norway.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 8, 14, 47, 60, 78, 97, 117, 123 and 148 contained in the

foregoing message were severally taken up, and read a first time, and passed to a second reading.

Bill No. 144, contained in the message was taken up, read a first time, the rules suspended, and

Bill referred to a select committee consisting of Messrs. Miller, Dawson, Goodman and Porter.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bills—

No. 103. Preamble and joint resolution relative to the three per cent. fund.

No. 111. An act amendatory of the act incorporating the townships of Dearborn county, so as to authorize the Board of County Commissioners of said county, to establish additional election precincts, if they deem it expedient.

No. 157. An act to extend the time of the sessions of the Board of Commissioners of Wayne county.

In which the concurrence of the Senate is respectfully requested.

And bills Nos. 103, 111 and 157, were severally read the first time, and passed to a second reading.

On motion by Mr. Buckles,

Bill No. 82 was taken from the table;

Mr. Harvey moved to strike out the 5th and 6th sections of the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Brugh, Day, Defrees, Dole, Dunn, Ellis, English, Evans, Goodman, Graham, Hamrick, Harvey, Henton, Herod, Holloway, James, Logan, Marshall, Mickle, Niblack and Woods—23.

Those who voted in the negative were,

Messrs. Alexander, Buckles, Cravens, Delevan, Eddy, Kinnard, McCarty, Miller, Milliken, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden and Walker—16.

So the sections were stricken out, when

On motion by Mr. Buckles,

The bill was laid upon the table.

By Mr. Teegarden, from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bills of the Senate, Nos. 27, 42, 47 and 77 with the engrossed, and find them correctly enrolled.

On motion by Miller,
The Senate adjourned.

WEDNESDAY MORNING, January 22, 1851.

The Senate met.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Harvey;

The petition of R. Trowbridge and others, upon incorporating the town of Winchester, in Hendricks county.

Which was referred to a select committee consisting of Messrs. Harvey, English and Teegarden.

By Mr. Milliken;

A petition in reference to a free bridge.

Which was referred to a select committee consisting of Messrs. Milliken, Alexander and Reid.

By Mr. Odell;

A memorial of J. & E. L. Beard and others.

Which was laid on the table.

By Mr. Milliken;

A petition praying for a deed to be made to David Nevitt.

Which was referred to the committee on Education.

By Mr. Odell;

A petition on the subject of temperance.

Which was referred to the committee on Temperance.

By Mr. Milliken;

Memorials upon the subject of temperance.

Which were read and referred to the committee on that subject.

By Mr. Dawson;

A memorial on temperance, signed by 190 ladies of DeKalb county.

Which was also referred to the committee on that subject.

By Mr. Dawson;

A petition of Alonzo Watkins, of DeKalb county, in regard to the mode of surveying lands, &c.

Which was referred to the Judiciary committee.

REPORTS FROM STANDING COMMITTEES.

By Mr. Porter;

MR. PRESIDENT:

The committee on Roads, to whom was referred the petition of William Cunningham and others, of Switzerland county, on the subject of a road therein named; and also the remonstrance of Charles Heath and others, on the same subject, have had the same under consideration, and have directed me to report, that in the opinion of the committee, legislation on that subject is inexpedient, and ask to be discharged from its further consideration.

Which was concurred in.

By Mr. Ellis;

MR. PRESIDENT:

The committee on corporations, to whom had been referred Senate bill No. 90, have instructed me to report the same to the Senate and recommend its passage;

No. 90. A bill to incorporate the Ohio and Wabash Plank Road Company.

Which was ordered to be engrossed.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom had been referred House bill No. 13, have instructed me to report the same to the Senate and recommend its passage.

No. 13. A bill to incorporate the Bluffton, Camden and Winchester Plank Road Company.

Which report was concurred in, and the bill ordered to a third reading.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations, to which was referred bill of the Senate No. 111, an act to incorporate the town of Covington, in the county of Fountain, have had the same under consideration and have directed me to report the same back to the Senate, and recommend its passage, with the following amendment:

Strike out all the last four lines in section 31, which requires the prepayment of all taxes assessed, as a qualification to vote.

Which,

On motion by Mr. Montgomery,
Was laid on the table.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the House No. 53, an act to incorporate the Peru and Andersontown Plank Road Company, have had the same under consideration, and have directed me to report the same back, without amendment, and recommend its passage.

When,

On motion by Mr. Buckles,

The bill was referred to a select committee consisting of Messrs. Buckles, Henton and Walker.

By Mr. Miller, from a select committee;

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 144, a bill to change the time of holding the February term of the Crawford Probate Court, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

BILLS INTRODUCED.

By Mr. Dawson;

No. 137. A bill to relocate a State road in DeKalb county.

Which was read a first time and ordered to a second reading.

By Mr. Athon;

No. 138. A bill making an appropriation for completing the engine house at the states' prison.

Which was read a first time and ordered to a second reading.

By Mr. Defrees;

No. 139. A bill to legalize the acts of the late treasurer of Elkhart county, and for other purposes.

Was read a first time and passed to a second reading.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 97. A bill to repeal an act entitled an act to amend the Statute providing for the taking a change of venue in criminal cases, approved January 16, 1849, so far as relates to the county of Steuben.

Was read a third time and passed.

No. 114. A bill to amend an act entitled an act to incorporate the trustees of the Hartsville academy, approved January 12th, 1850.

Was read a third time and passed.

No. 115. A bill to change the name of the town of Nicklesonville.

Was read a third time and passed.

No. 118. A bill to exempt from taxation the marine hospital, at Evansville, Indiana.

Was read a third time and passed.

No. 122. A bill to extend further time to the borrowers of the sinking fund, and other trust funds.

Was read a third time and passed.

No. 127. A bill to amend chapter 4 of the Revised Statutes of 1843.

Was read a third time and passed.

No. 135. A bill to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds approved, December 29, 1849.

Was read a third time and passed.

HOUSE BILLS.

No. 56. A bill to authorize the sale of school lands in Perry county.

Was read a third time and passed.

No. 82. A bill to amend section 13 of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes.

Was read a third time and passed.

No. 90. A bill to enable the qualified voters of school district No. 7, T. 36, R. 3 west, in Laporte county, to levy a tax in said district for the purpose of building a school house.

Was read a third time,

When,

On motion by Mr. Milliken,

The bill was laid on the table.

On motion by Mr. Berry,

Bill No. 106 was taken from the table and referred to the committee on Corporations.

Mr. Buckles moved to reconsider the vote on indefinitely postponing House bill No. 18, which motion prevailed, and the bill referred to a select committee, consisting of Messrs. Alexander, English, and Delevan.

By Mr. Knowlton;

No. 140. A bill for the benefit of the county of Ripley.

Which was read a first time and ordered to a second reading.

On motion by Mr. Berry,

Bill No. 108, was taken from the table, and referred to a select committee consisting of Messrs. Berry, Ellis and Woods.

On motion by Mr. Defrees,

Bill No. 19 was taken from the table, when

Mr. Defrees offered the following amendment:

SECTION 1. That it shall be lawful for the qualified voters of any school district in the State, at any special meeting thereof, ten days' notice of the same being given in writing by posting the same up in three of the most public places in said district, signed by five freeholders to vote a tax for the purpose of building or paying for a school house, or repairing the same as a majority present shall deem proper; *provided*, the tax so levied by vote shall in no case, in any one year exceed fifty cents on each one hundred dollars worth of taxable property.

SEC. 2. That all laws or parts of laws coming in conflict with the provisions of this act, be and the same is hereby repealed.

SEC. 3. This act to be in force from and after its passage.

Mr. Dawson, offered the following amendment to the amendment:

Insert so as to make it read, "a majority of the qualified voters."

Which was adopted.

Mr. Woods, offered the following amendment to the amendment:

Strike out "50 cents" and insert "30 cents;"

Which was adopted.

Mr. Dawson offered the following amendment to the amendment:

"*Provided*, The voters at the same time assess a poll tax of not less than 15 cents."

Which was not adopted.

The amendment as amended was then adopted.

On motion by Mr. Dawson,
The county of Noble was exempted from the provisions of the bill.

Mr. Harvey offered the following amendment:
Add the following to the 2d section—

Provided, That the provisions of this act shall only extend to counties which have adopted the act entitled "An act to increase and extend the benefits of Common Schools," approved January 17, 1849;

Which amendment was adopted.

Mr. Dawson offered the following amendment to the amendment:
Insert in the proper place, "that the majority of the legal voters may assess a poll tax not more than 50 cents."

Which,

On motion of Mr. Woods.

Was laid upon the table.

Mr. English offered the following amendment to the amendment:
"Amend the bill so as to confine its provisions to the counties of Elkhart and Lagrange;

Which was adopted.

Mr. Mickle offered the following amendment:

Provided however, this act shall in no case repeal any local law now in force in any county in this State.

Which amendment was adopted.

Mr. Reid offered the following amendment:

Amend by inserting, "that the legal voters of the district may, by a vote of the district, appropriate their distributive shares of the public funds for the purpose of building a school house: *Provided*, Said voters shall keep a school for three months each year, as contemplated by the common school law.

Which was not adopted.

The question then being on the engrossment of the bill,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Berry, Day, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, Goodman, Hamrick, Harvey, Henton, Herod, Halloway, James, Kinnard, Knowlton, Logan, Marshall, Mickle, Miller, Milliken, Montgomery, Odell, Porter, Sleeth, Walker and Woods—28.

Those who voted in the negative were,

Messrs. Alexander, Athon, Brugh, Buckles, Cravens, Dawson, English, Evans, Garver, Hunt, Niblack, Teegarden, and Winsteadley—13.

So the bill was ordered to be engrossed.

The following message was received from his Excellency, the Governor, by Mr. Noel, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 2. An act to change the name and extend the corporate privileges of the Perry Cotton Mill at Cannelton.

No. 7. An act to incorporate the Cannelton Levee and Draining Company.

No. 16. An act to amend an act entitled "an act to incorporate the Richmond and Williamsburg Turnpike Company," approved January 16, 1849.

No. 35. An act to authorize the Auditor of Harrison county to make a deed therein named.

No. 16. An act declaring a misprint in an act approved January 16, 1849.

No. 51. An act to increase the per diem allowance of the Probate Judge of the Probate Courts of Montgomery and Madison counties.

No. 57. An act to pay counsel in certain cases.

No. 72. An act in relation to the January term, A. D. 1851, of the Probate Court of Martin county.

No. 52. An act to incorporate the Sparta and Napoleon Turnpike Company.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

No. 27. An act to increase the pay of the Probate Judges of the counties of Union, Fayette, Rush, Hendricks, Sullivan, Marion and Gibson.

No. 42. An act to amend an act entitled "an act to incorporate the Junction Railroad Company," passed 8th day of February, 1848.

No. 67. An act to alter the time of holding the Circuit Courts in certain counties in the Third Judicial Circuit.

No. 77. An act to repeal an act therein named.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof, to-wit:

No. 34. An act to extend the powers of the Lawrenceburgh and Upper Mississippi Railroad Company.

No. 40. An act to incorporate the Athenian Society of Indiana University.

No. 42. An act to legalize the election of the County Commissioners of the county of Owen.

No. 57. An act directing the Auditor of State to pay over to the Treasurers of Ripley and Greene counties certain funds therein named.

No. 71. An act to amend an act entitled an act to incorporate the Western Plank Road Company, approved Jan. 14, 1850.

No. 75. An act to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby.

No. 77. An act to vacate the town of Charlestown, in Huntington county.

No. 85. An act for the relief of township Clerks in the county of Posey.

No. 116. An act extending the time of holding the Probate Court in the county of Carroll.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

SENATE BILLS ON SECOND READING.

No. 129. A bill for the construction of a sewer at the State Prison.

Was read a second time and ordered to be engrossed.

No. 130. A bill declaring Millcreek a public highway.

Was read a second time and ordered to be engrossed.

No. 131. A bill to incorporate the New Albany Hotel Company.

Was read a second time and ordered to be engrossed.

No. 132. A bill for the relief of the Administrator of estate of Albert Monson, late of St. Joseph county, deceased.

Was read a second time, and

On motion by Mr. Niblack,

Referred to the Judiciary committee.

No. 134. A bill for the relief of John Fryberger.

Was read a second time, and

On motion by Mr. Harvey,

Was referred to the Judiciary committee.

No. 135. A bill to amend section 2nd of an act entitled an act to amend the laws relating to the extension of deeds by order of the probate court, approved January 15, 1849.

Was read a second time, and,

On motion by Mr. Holloway,

Was referred to the Judiciary committee.

HOUSE BILLS ON SECOND READING.

No. 8. A bill to provide for electing supervisors by districts [in the counties] of Wells, Allen, Noble, Steuben, Miami, Henry, La-Grange, Tipton, Clinton, and Harrison.

Was read a second time and referred to a select committee, consisting of Messrs. Mickle, Dawson, Henton, Evans, Brugh, Defrees, and Porter.

No. 14. A bill defining the duties of county treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin, Washington, Marshall, Fulton, Stark, Clinton, Scott, Johnson, and Randolph counties,

Was read a second time when

Mr. English moved to except Scott county.

Mr. Windstandley moved to except Floyd county, and

Mr. Niblack Martin county from the provisions of the bill, and

On motion by Mr. Goodman,

The bill was referred to a select committee consisting of Messrs. Goodman, Cravens, Defrees, Kinnard, and Buckles.

Mr. Buckles moved the following instructions to the committee:

Insert after the word "June," [the words] "or any other,"

Which was adopted.

No. 47. A bill relative to the election and appointment of constables.

Was read a second time, and referred to the Judiciary committee.

No. 60. A bill relative to plank roads.

Was read a second time and referred to the committee on Corporations.

No. 78. A joint resolution in relation to the bounty land law of Congress of September 28th, 1850.

Was read a second time and ordered to a third reading.

No. 97. A bill relative to the practice of law.

Was read a second time, and referred to the Judiciary committee.

No. 103. A preamble and joint resolution relative to the three per cent fund.

Was read a second time and referred to the committee on Federal Relations.

No. 111. A bill amendatory of the act incorporating the townships

of Dearborn county so as to authorize the Board of County Commissioners of said county, to establish additional election precincts if they deem it expedient.

Was read a second time,

When,

Mr. Milliken offered the following amendment:

1st amendment. Add to the first section the following proviso:

Provided, That polls shall not be opened at such precincts for the election of township officers.

2d. amendment:

The inspectors and judges of elections appointed by virtue of this act shall be exempt from the two days road tax for personal privileges, while serving in said capacity, and no other compensation.

3rd. amendment:

Strike out the word "publication," in the Indiana State Sentinel, and insert the word "passage."

Which amendments were adopted and the bill ordered to a third reading.

No. 117. A bill to reduce the fees of the recorder of Greene county.

Was read a second time and laid upon the table.

No. 123. A bill authorizing the President and trustees of the town of Lafayette to purchase and hold real estate.

Was read a second time and ordered to a third reading.

No. 148. A bill to change the name of Mount Wallastown, in White county, to Norway.

Was read a second time and ordered to a third reading.

No. 157. A bill to extend the time of the sessions of the board of commissioners of Wayne county.

Was read a second time and ordered to a third reading.

Mr. Buckles asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 53, an act to incorporate the Peru and Andersonstown Plank Road Company, have had the same under consideration, and directed me to report it back and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

The following message was received from the House by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof, to-wit:

No. 126. An act to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved January 13th, 1845.

No. 127. An act to amend an act to incorporate the Madison County Hydraulic Manufacturing Company, approved January 15th, 1849.

No. 128. An act to amend an act to declare certain water courses in the counties of Perry and Spencer, public highways, and for other purposes, approved January 17th, 1850.

No. 136. An act to change the names of persons therein named.

No. 137. An act to repeal an act entitled an act to locate a State Road in the counties of Decatur, Jennings, and Bartholomew, approved January 5, 1849.

No. 138. An act to locate a State road in the counties of Pulaski, Starke, and Laporte.

No. 139. An act to locate a State road in the counties of Hamilton, Tipton, and Howard.

No. 140. An act to legalize certain acts of the Henry County Turnpike Company, and for other purposes.

No. 142. An act to regulate the sale of spiritous liquors in Jackson county, Indiana.

149. An act to authorize Lloyd Brown, and Eli Brown, to erect and maintain a mill dam across White river, in Madison county.

No. 153. An act to revise and extend the provisions of an act to incorporate the town of Anderson, approved February 17th, 1849.

In which the concurrence of the Senate is respectfully requested.
Bills 126, 127, 128, 136, 137, 138, 139, 140, 142, 149, and 155, contained in the preceding message, were taken up and severally read a first time and passed to a second reading.

On motion by Mr. Teegarden,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

MEMORIALS INTRODUCED.

By Mr. Marshall;

The memorial of the Madison and Indianapolis Railroad Company; Which,

On motion,

Was laid on the table, and 250 copies ordered to be printed.

By Mr. Dole;

Memorials of Mary E. Gookins and other ladies and citizens of Vermillion county upon the subject of temperance;

Which was referred to the committee on Temperance.

On motion by Mr. Montgomery,

The memorial in reference to the Beard claim was taken up and referred to the Judiciary committee.

Mr. Buckles submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 95, an act authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county, have had the same under consideration and directed me to report it back to the Senate with the following amendment, and when said amendment is adopted, recommend the passage of the bill:

Add to the 3d section the following proviso:

Provided, however, That the following change in the Indianapolis and Winchester State road, to-wit: commencing at a point on said road directly west of the west end of Jackson street, in the town of Muncie, in Delaware county, and running thence in an easterly direction on and along said street to the east end of said street, and from thence due east until it intersects the Richmond and Logansport State road, be and the same is hereby made, and the above is declared to be a part of said road as fully as if said road had originally, as above described, been located and established on said street, and it is hereby made the duty of the supervisors through whose district said change passes, to open and keep in repair said road, as by this bill located; *And provided further,* That so much of said State road as now lies northwardly from the point above designated, and north of said Jackson street, be, and the same is hereby declared vacated.

Which was concurred in, the amendment adopted, and the bill ordered to a third reading.

BILLS INTRODUCED.

By Mr. Miller;

No. 141. A bill establishing a State road in the counties of Orange and Crawford;

Which was read a first time and,

On motion by Mr. Miller,

The rules were suspended, the bill read a second time and referred to the committee on Roads.

By Mr. Defrees;

No. 142. A bill to change the time of holding the February term of the Probate Court of Elkhart county for the year 1851;

Which was read a first time and,

On motion by Mr. Defrees,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Marshall;

No. 143. A bill to incorporate a Gas Light Company in the city of Madison;

Which was read a first time and,

On motion by Mr. Marshall,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Reid;

No. 144. A bill to revive and amend the Connersville and Brookville Turnpike Company;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Odell;

No. 145. A bill to vacate a portion of a certain State road;

Which was read a first time and passed to a second reading.

Mr. Winstandley introduced the following petition:

A petition of David Wilkinson and others, of Floyd county, praying sundry amendments to the school law;

Which was referred to the committee on Corporations.

Mr. English introduced

No. 146. A joint resolution on the subject of the sale of the Northern Division of the Central Canal;

Was read a first time, the rules suspended, the bill read a second time and referred to the committee on Canals and Internal Improvements.

On motion by Mr. Garver,

The Senate adjourned.

THURSDAY MORNING, January 23, 1851.

The Senate met.

On motion by Mr. Milliken,

The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. English,

A petition upon the subject of opening streets and alleys in the town of Lexington, Indiana;

Which was referred to a select committee consisting of Messrs. English, Brugh and Harvey.

By Mr. Milliken;

A memorial from citizens of Lawrenceburgh upon the subject of exempting property in said town from taxation;

Which was referred to Senators Milliken, Logan and Dunn.

By Mr. Herod;

A petition upon the subject of the Central Canal;

Which was referred to the committee on Canals and Internal improvements.

By Mr. Ellis;

A petition of 70 citizens of Knox county, relative to change in the Lower land town Prairie:

Which,

On motion by Mr. Ellis,

Was referred to a select committee consisting of Messrs. Ellis, Dunn and Niblack.

Also, by Mr. Ellis;

A petition of the Ladies of Knox county, upon the subject of Temperance;

Which was referred to the committee upon that subject.

By Mr. Niblack;

A petition on the subject of moving the county seat of Martin county;

Which was referred to a select committee consisting of Messrs. Niblack, Dunn and Goodman.

REPORTS OF STANDING COMMITTEES.

By Mr. English;

MR. PRESIDENT :

The committee on Finance to which was referred a resolution enquiring into the expediency of releasing the Lessee of the State Prison from paying rent for the period business and labor was suspended in said Prison, on account of the prevalence of that frightful disease the cholera, have had that subject under consideration and have directed me to report the following joint resolution and recommend its passage:

No. 147. A joint resolution for the relief of the Lessee of the State Prison;

Which was read a first time and passed to a second reading.
By Mr. Niblack;

MR. PRESIDENT :

The committee on Finance, to whom was referred the matter in relation to the pay of Austin H. Brown, printer to the Constitutional Convention of this State, have had the same under consideration, and have instructed me to report the accompanying joint resolution upon that subject and respectfully recommend its passage:

No. 148. A joint resolution in relation to the pay of Austin H. Brown, printer to the Constitutional Convention;

Which was read a first time, and passed to a second reading.

By Mr. Defrees;

MR. PRESIDENT :

The committee on Finance, to whom was referred Senate bill No. 100, "A bill to authorize the taking of newspapers for the State Library," have had the same under consideration, and a majority of said committee, have authorized me to report it back without amendment and recommend its passage.

Mr. Hanna offered the following amendment:

Amend by taking one paper of each political party from each Congressional district in the State;

Which,

On motion by Mr. Ellis,

Was laid on the table.

Mr. Ellis offered the following amendment:

And purchase of Elisha Stout, Esq., his file of the Western Sun and General Advertiser, published at Vincennes, for the use of the State Library.

Mr. Cravens moved to lay the amendment on the table;

Which motion did not prevail.

The amendment was then adopted.

Mr. Ellis moved to insert "weekly;"

Which motion prevailed.

Mr. Hanna offered the following amendment:

Amend by taking the back files of the Richmond Palladium;

Which,

On motion by Mr. Holloway,

Was laid on the table.

Mr. Miller moved to lay the bill on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Cravens, Day, Delevan, English, Goodman, Hamrick, Hanna, Hardin, Henton, James, Kinnard, Knowlton, Miller, Montgomery, and Porter—16.

Those who voted in the negative were,

Messrs. Adams, Athon, Brugh, Buckles, Defrees, Dunn, Eddy, Ellis, Garver, Harvey, Herod, Holloway, Logan, Marshall, McCarty, Mickle, Milliken, Niblack, Odell, Reid, Teegarden, Turman, Walker, Windstandley, and Woods—25.

So the bill was not laid on the table.

Mr. Woods offered the following amendment:

Amend by striking out "one copy of each paper," and insert the following, "the oldest paper in each county."

Which,

On motion by Mr. Herod,

Was laid on the table.

Mr. Niblack moved to recommit the bill with the following instructions:

Insert, "of the leading weekly papers of this State, to be selected from the different political parties, in some manner to be provided by law from time to time."

Mr. Herod moved a division of the question.

The question being on recommitting the bill,

Was decided in the negative.

Mr. Dunn offered the following amendment:

"And it shall be the duty of the State Librarian to prepare a careful and well digested index to the subject of discussion, comment or notice in each volume of each newspaper, and embrace the same in each volume when it shall be bound.

Which was not adopted.

Mr. English offered the following amendment:

"And purchase the back files of the Whig Rifle, Hickory Club, Federal Exterminator, Coon Skinner, and Tippecanoe Banner."

Mr. Ellis moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered

Those who voted in the affirmative were,

Messrs. Athon, Buckles, Cravens, Day, Defrees, Dunn, Eddy, Ellis, Garver, Harvey, Henton, Herod, Holloway, James, Logan, Marshall, McCarty, Mickle, Milliken, Odell, Porter, Reid, Teegarden, Turman, Walker, Windstandley, and Woods—27.

Those who voted in the negative, were,

Messrs. Adams, Allen, Brugh, Dawson, Delevan, English, Goodman, Hamrick, Hanna, Hardin, Hunt, Kinnard, Knowlton, Miller, Montgomery, and Niblack—16.

So the amendment was laid on the table.

Mr. Harrison offered the following amendment:

Amend by inserting in the proper place, "including every religious periodical published in the State."

Which was adopted.

The question being on the engrossment of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Buckles, Defrees, Dunn, Eddy, Ellis, Garver, Harvey, Herod, Holloway, Hunt, Logan, Marshall, McCarty, Mickle, Niblack, Odell, Teegarden, Turman, Walker, Winstandley, and Woods—23.

Those who voted in the negative were,

Messrs. Adams, Allen, Cravens, Dawson, Day, Delevan, English, Goodman, Hamrick, Hanna, Hardin, Henton, James, Kinnard, Knowlton, Miller, Milliken, Montgomery, Porter, and Reid—20.

So the bill was ordered to be engrossed.

By Mr. Garver;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the Senate No. 103, entitled an act authorizing the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the 1st day of July, 1851, and expenses of the Constitutional Convention, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Alexander;

MR. PRESIDENT:

The committee on Finance, to whom was referred the petition of citizens of Fountain county, praying the Legislature to make no farther appropriation to defray the expenses of the Constitutional

Convention of Indiana, have had that subject under consideration, and instructed me to report the same back to the Senate and recommend that said petition be laid on the table.

Which was concurred in and the petition laid on the table.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, pursuant to instruction by resolution of the Senate, requiring said committee to inquire into the expediency of repealing or modifying the existing valuation and appraisement laws, so that property sold on execution or any order or decree of any court of this State be sold for the highest and best price, with leave to report by bill or otherwise, have had the same under consideration, and directed me to report that, in the opinion of your committee, legislation upon the subject is inexpedient; the indefinite postponement of the subject matter of said resolution is therefore respectfully recommended.

Which was concurred in.
By Mr. Marshall:

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 98, have had that subject under consideration, and have directed me to report the same back without amendment, and recommend its passage.

No. 98. A bill for the protection of persons and property on railroads.

Mr. Montgomery moved to strike out the last section of the bill.

Mr. Hardin moved to re-commit the bill to the committee on Canals and Internal Improvements;

Which was decided in the negative.

The question being on striking out the last section of the bill,
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative were,

Messrs. Adams, Allen, Dawson, Delevan, Eddy, English, Goodman, Hamrick, Hardin, Hunt, Kinnard, Mickle, Montgomery, Niblack, Porter, and Woods—16.

Those who voted in the negative were,

Messrs. Athon, Brugh, Buckles, Cravens, Defrees, Dunn, Ellis, Harvey, Herod, Holloway, James, Knowlton, Logan, Marshall, McCarty, Miller, Milliken, Odell, Reid, Teegarden, Walker, and Winstandley—22.

So the section was not stricken out;

When the bill was ordered to be engrossed for a third reading.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to bill of the House

No. 68. An act to repeal an act therein named.

The following message was received from his Excellency, the Governor, by his Private Secretary, Mr. Noel:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 27. An act to increase the pay of the Probate Judges of the counties of Union, Fayette, Rush, Hendricks, Sullivan, Marion, and Gibson.

No. 67. An act to alter the time of holding the Circuit Courts in certain counties in the Third Judicial Circuit.

No. 77. An act to repeal an act therein named.

Mr. Reid made the following report:

MR. PRESIDENT:

The Judiciary committee, to whom was referred resolution of the Senate instructing said committee to examine into the various charters for railroads, amendments thereto, and action under them, that have any reference to the right of way from Michigan City to the western line of Indiana, and to report to the Senate at their earliest convenience, whether said right of way is legally and rightfully vested in any company by charters, privileges, or claims under any one act, or by combining several acts and organizing under them; and whether, consistent with the rights of others, it is now competent for the General Assembly to make such disposition

of said right of way as they may deem for the best interest of the State, have had the same under consideration, and a majority of said committee have requested me to make the following report in answer thereto:

By an act of the General Assembly, approved February 6th, 1835, the Buffalo and Mississippi Railroad Company was incorporated with power to examine, survey, make, and locate the route of said railroad, commencing on the eastern line of the State in the direction to the head of the Maumee Bay, as near as might be on a line between the head of said bay and the rapids, running on the best ground in the most approved direction, to strike the rapids of Illinois river in the State of Illinois. By the 21st section of this act the line of the road through the State of Indiana is divided into four divisions, and that portion between ranges four and five west, to the west line of the State, is made the fourth division. This act of incorporation confers on said company very ample powers of the charter usually granted to such companies. Its term was limited to seventy-five years, and by the 21st section the company was directed to commence the construction of the said road in five years and complete the same within twelve years from the commencement

It is understood that the company was duly organized, and commenced operations in the year 1837, expending some thirty thousand dollars in surveying and grading part the road between the towns of Laporte and Michigan City, but on account of the pecuniary embarrassments of the times the prosecution of the work was for a season suspended.

On the 28th of January, 1843, an act was passed by which all the official acts of the company were legalized, and a fresh impetus was given to the road. It does not appear whether there were any irregularities or what they were, if any had occurred, but out of abundant caution it was thought proper to have this done.

On the 13th of January, 1845, another act was approved, by which the time for commencing and completing the road was further extended, the one-half for five years and the other half for ten years more; and supposing that the road had been commenced on the 6th day of February, 1835, the day when the original charter was granted, the twelve years allowed for its completion would not have expired until February, 1847. But counting the extension of time as aforesaid, the expiration for the completion of the first half would not occur until 1852, and the second until 1857.

But it appears that on the 6th day of January, 1846, an act was passed allowing said company to diverge from the original time contemplated, so as to run in a westerly direction to Chicago, and reads as follows:

WHEREAS, By the 13th section of said act it is required that the route of said road shall extend westwardly in a direction towards the rapids of Illinois river, &c., and it being advantageous to diverge said route so as to go round Lake Michigan.

Be it enacted, &c., That said company be and they are hereby authorized to extend the route of said road westwardly from the town of Laporte, in Laporte county, by way of Michigan City, in said county, to the western line of said State, on the best ground and in the most suitable direction towards Chicago, in the State of Illinois.

Thus, by the 1st section of this act, the right of way is directly granted to go round the lake to the west line of the State. There are several other amendatory acts, but none of them limit or curtail the powers of the company, but are cumulative in their nature, rather enlarging its corporate powers and privileges than decreasing them.

On the 8th February, 1848, was passed an act by which the line of said road was divided into two divisions, known as the eastern and western divisions thereof: the western division comprising all of that part lying west of Laporte, and of course extending to the State line. This division was given into the charge of certain commissioners named in the act, vesting in them all the powers, rights, and capacities, touching the said western division, as was possessed by the directors for the purposes of constructing, operating, and stocking the road, and for all purposes connected therewith. And by the second section of said act they are authorized to borrow money for the purposes aforesaid, of constructing a branch from Michigan City to New Buffalo, and to lease the road to those advancing money for these purposes, the time of leasing to be agreed on by the parties, as may be deemed expedient.

Section 3d authorizes a mortgage payable in ten years, at interest not exceeding eight per cent. per annum, to enable the commissioners to borrow money to construct and complete the main line.

The 5th section is very full in favor of the company, declaring that no failure to complete the road within the given time, or omission of duty done or committed by the company, or directors, or said commissioners thereof, which might be a cause of the forfeiture of its franchises or any part thereof, shall in any way impair or affect the rights of the lenders of said money or the mortgagees or their assigns, but that that portion of the road completed should retain all the rights and privileges of the company.

By the 14th section of this act the same was not to be in force until it was accepted by the company and entered on their records. The books of the company not being before the committee, the certificate of Jno. B. Niles, one of the Directors of the Buffalo and Mississippi Railroad Company, was recorded, informing the committee of this fact, with his offer to make an affidavit in regular form of the correctness of his statements concerning the acceptance by the company of the amendment and the entry thereof on the record, and the same being satisfactory to the committee, the production of the books themselves was waived, and the fact of the adoption of the charter admitted and assumed.

This act is not like many of the others, cumulative merely, but may be regarded in the nature of a new act, vesting in two sets of commissioners powers that were necessary for carrying out the object of the incorporation; and in reference to the powers, rights, and privileges granted in it to the western branch of the line running from Laporte, they are so full and complete that there is no room for doubt of the object, intent, and meaning of the act. They had the right to construct, the right to borrow money for its construction, operation, and the stocking of the same, as well as the right to mortgage the road for any length of time deemed expedient. These are extraordinary powers, but being granted, and acted on, money loaned under them, and the road leased under the charter to innocent holders, this committee has no power to condemn the policy of the Legislature, or say that its acts were void. Ours is a simple duty to perform, to inquire whether the right of way around the lake was ever granted to any corporation, and if so, to whom, and whether this right is still in them or not. That such a right having been once granted, this committee are fully satisfied, as evidenced by the amended charter of said company, dated 6th January, 1846. And when we refer to the 5th section of the act approved 8th February, 1848, we are satisfied that this right is still in the company; for, from all the information before us, we cannot find any cause for a forfeiture either by non-user or misuser of its franchises.

Without entering into any argument concerning the powers and rights of this State as a sovereignty, to amend or repeal the private charters of companies, we see nothing in the acts of this company that should cause us to throw a shade of doubt upon the rights of the company, or the validity of their claim to build a Railroad from Michigan City to the western line of the State in the direction of Chicago, but on the contrary all the legislation on the subject through a series of years is confirmatory of that right; a vested interest as we may term it, over which, our power as Legislators, is to say the least, doubtful, and which good faith demands us not to disturb or impair.

Other questions have been raised before us by the friends and opponents of this company, concerning the right to lease the western division of the road to the persons who loaned the company the money to forward its construction. By the 3d section of the act of 1848, the Commissioners had the power to enter into any contract or contracts, agreement or agreements, with any person or persons, body politic or corporate within the State, or out of it, for any loan or loans of money, &c., the principle payable at any time after ten years, and if any such loan should be obtained, &c., it was lawful for said Commissioners to mortgage the road and place the whole stock, fixtures and appurtenances belonging to the same in the possession of those persons loaning the money, and to secure this, execute to them a mortgage or other conveyance. The Commissioners having

been compelled to borrow money for the purpose of constructing said road, and the furnishing of locomotives, cars and other machinery necessary for the working and final completion of said line of road; your committee are informed that the said Commissioners entered into contract with the Directors of the Michigan Southern Railroad Company, for the purpose of having the said line of Railroad constructed west of Laporte, by the way of Michigan City to the State line in the direction of Chicago, and executed a lease to the said Michigan Southern Railroad Company, to secure to said Company the repayment of all moneys by them advanced in the constructing of said road, and the furnishing of locomotives, cars, and other necessary machinery for the working thereof; and put the said Directors of said Company into full possession of the Western division of said road under said lease, and the same is now in progress of construction from the State line, east by Michigan city, under the authority and direction of the said Michigan Southern Railroad Company, subject to the terms and conditions of the lease aforesaid.

Without entering into any agreement or expressing any opinion of the legal effect of the execution of said LEASE, by the Commissioners of the Western division of the Buffalo and Mississippi Railroad Company, to the said Michigan Southern Railroad Company upon the chartered rights of the said Company; a majority of said committee in view of all the facts within the knowledge of your committee, are firmly of the opinion that *the right of way* to construct a railroad around the head of Lake Michigan to the west line of this State, has been granted by the State of Indiana, to the Western division of the Buffalo and Mississippi Railroad Company; and that the same is still outstanding and valid so far as they know; a franchise of and belonging to the same, acknowledged and ratified from the 6th day of January, 1846, up to the 15th January, 1849, as found in the local laws of this State.

With regard to that part of the resolution enquiring whether it would be consistent with the rights of others, and competent for the State to make such disposal of said right of way as the General Assembly may deem for the best interests of the State, your committee are somewhat at a loss to comprehend the true intent and meaning thereof; but they assert that to *disturb* the rights of this company or *impair* their claims in any *valid chartered franchise*; or the rights or franchises of any other company in this State, unless where they have *wilfully* and *knowingly* violated their charters to the injury of the public, (*contra bonas mores*) it would not only be bad policy, but bad faith, ruinous and destructive of public confidence and seriously injuring the great interests of this State.

And your committee having thus examined the said resolution, and answered the enquiries contained therein, so far as in their

knowledge, beg to be discharged from all further consideration of the question.

J. S. BUCKLES, *Chairman*,
JNO. S. REID,
R. D. LOGAN,
WILLIAM HEROD,
J. S. HARVEY,
JAMES M. SLEETH.

On motion by Mr. Niblack,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

When they resumed the consideration of the report of the committee, which was pending at the time of adjournment;

Pending which,

On motion,
The Senate adjourned.

FRIDAY MORNING, January 24, 1851.

The Senate met.

Reading the Journal dispensed with.

PETITIONS AND REMONSTRANCES INTRODUCED.

By Mr. Woods;

The petition of citizens of Rising Sun, Ohio county, in relation to certain land holders in said town.

Which was referred to the committee on Corporations.

Also, a remonstrance by Mr. Woods upon the same subject.

Which was referred to the same committee.

By Mr. Holloway;

A petition on the subject of land monopoly and homestead exemption.

Which was referred to the Judiciary committee.

The President laid before the Senate the report of the Cashier of the Branch of the State Bank at Michigan City.

Which was referred to the committee on the State Bank.

REPORTS FROM COMMITTEES.

By Mr. Dunn;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred Senate bill No. 121, an act in relation to the jurisdiction of justices of the peace, have had the same under consideration, and have directed me to report the same back to the Senate with the following amendment, and when so amended, recommend its passage:

Strike out the second section and insert in lieu thereof, as follows: "This act to apply to and be in force in the county of Lawrence alone, and be in force from and after its passage."

Which report was concurred in, the amendment adopted, and the bill ordered to be engrossed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 9, 43, 48, 54, 57, 62, and 105, with the engrossed and find them correctly enrolled.

By Mr. Marshall;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 91, a bill making promissory notes negotiable, have had that subject under consideration, and have directed me to report the same back with the following amendment:

Strike out the words "at any chartered Bank," in the 4th and 5th line, and insert the words, "at any specified place;" and strike out the words, "at some chartered Bank," in the 33d line, and insert, "at a specified place."

Which amendments were adopted.

constructing and operating the main line of their said road, and any branch, or branches, authorized, or which may be authorized by law, the said Northern Indiana Railroad Company shall possess, and is hereby vested with all the powers, rights, privileges, franchises, and immunities, which have been granted to, and conferred upon the said Buffalo and Mississippi Railroad Company by the original act, incorporating said company, or by any act, or acts, amendatory thereof, or which may be hereafter conferred, and accepted by said Northern Indiana Railroad Company: *Provided*, The same are not inconsistent with the provisions, or intentions, of this act, and accepting, also, sections 29 and 34 of the original act incorporating said Buffalo and Mississippi Railroad Company, approved February 6th, 1835, and also section 7 of an act amendatory thereof, approved January 6th, 1846.

SEC. 2. For the purpose of providing means for the payment of its debts, and for the construction, extension, and completion of its railroads, shops, depots, buildings, and equipments, said company may issue its corporate bonds, or obligations, for such amounts, not less than five hundred dollars, and in the aggregate not exceeding the amount of its capital stock, and in such form as it may deem proper, and payable at such times and places, upon such terms, and with such rate of interest (not exceeding 8 per cent. per annum) as it may determine, and may secure the payment of the whole, or any portion of such bonds, or obligations, by mortgages of the road, or other property of the company, and said company may sell, dispose of, and negotiate such bonds, or obligations, either within or without this State, at such rates, for such prices, and on such terms as said company may determine; and in case said bonds, or obligations, shall be thus sold, disposed of, or negotiated at a discount, said sale, disposal, or negotiation, shall be as valid and effectual, as if said bonds, or obligations, had been sold, disposed of, or negotiated, at their par value, and said bonds, or obligations, shall be valid and binding as a security for the whole sum, payable by the terms thereof, in the same manner as if they had been sold, disposed of or negotiated at their par value, provided that said bonds shall not be sold at a greater discount than ten per cent. on the dollar.

SEC. 3. The capital stock of the Northern Indiana Railroad Company shall be \$1,500,000, in shares of \$100 each, with the privilege to said company of increasing the same from time to time, as it may deem proper, not exceeding in all the sum of \$3,000,000.

SEC. 4. The said company may, by contract, admit the intersection of said roads by any other road, and shall carry and transport the freights and passengers of any railroad that may intersect their line, on the same terms per mile, and with the same dispatch and facilities as it carries other similar freight and passengers over the same parts of their own roads, and the said company may construct and operate a branch from their main line, in St. Joseph county, to the village of Terre Coupee, and if the inhabitants of

said village shall, within three months after notice of the acceptance of this act by the company, subscribe five thousand dollars to the capital stock of said company, then the said company shall, within twelve months thereafter, complete said branch to said village.

Provided, further, That no Railroad shall be constructed through Laporte county except by way of it making Michigan City a point in said road, or by means of which persons or property shall, or can be transported through said county, otherwise than by way of Michigan City, either under this act or any act to which this act refers.

SEC. 5. At all elections for directors of said company, each stockholder, in person, or by proxy appointed under his hand, shall be entitled to one vote for each share of stock held by him previous to the closing of the transfer books, as the same may be regulated by the company, and the persons having the largest number of votes shall be declared duly elected directors for said company.

SEC. 6. All elections shall be held under the direction of three stockholders, not directors at the time, to be appointed by the board at a previous meeting, or by the stockholders at the annual meeting in the same manner as directors are elected.

SEC. 7. Sections seven, ten to twenty, both inclusive, and sections twenty-three, twenty-six, twenty-eight, twenty-nine, and forty-five, of an act to provide for the continuance of the construction of all, or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the offices of fund commissioner, and chief engineer, approved January 28th, 1842, are hereby adopted, and made applicable to the said Northern Indiana Railroad Company, and a part of the charter thereof, so far as the same are consistent with the provisions of this act, and no other part of said act shall be applicable hereto.

SEC. 8. The State reserves the right, after the expiration of the time specified in the acts herein referred to, for the duration of the charter of said company, to alter, amend, or repeal the same; *Provided*, That said company shall be compensated for all damages sustained by reason of such alteration, amendment, or repeal, and the second and third sections of an act entitled an act to amend an act entitled an act to provide for the construction of a railway in Laporte county, (approved February 11th, 1843) approved January 15th, 1849, are hereby repealed.

SEC. 9. The said Northern Indiana Railroad Company are hereby authorized and empowered, at any time hereafter, and from time to time, as, and when they may see fit, to extend their branches from Goshen easterly to the eastern line of the State of Indiana, through the counties of LaGrange and Steuben, on the best and most suitable ground, in the most direct course towards Toledo, in the State of Ohio, and with the assent of the State of Ohio, to the said city of Toledo, and it is expressly declared that the said company shall, and will, expend and outlay upon and towards the construction of that

part of the said line, lying within the counties of LaGrange and Steuben, the sum of seventy-five thousand dollars, within four years next ensuing from the passage of this act, and shall, and will, finish the entire line through to the city of Toledo, within six years next ensuing from the passage of this act, and in case the said company shall fail to comply with either of these provisions within the time specified, all the franchises, rights, and privileges, granted under this act, and any act to which this is amendatory, or to which it refers, and under every other act, shall, from thenceforth, become absolutely null and void; *Provided, however,* That the said company shall not be required either to make such expenditure of \$75,000, or to furnish the entire line within the time specified, unless there shall be subscribed, by good and bona fide subscriptions, to the capital stock of the said company, within the counties of LaGrange and Steuben, a sum, in the aggregate, not less than \$30,000, to be subscribed and paid in similar installments, and at such times as other subscriptions are to be paid, and as called for by the board of directors of said company, within the said four years, and to be expended and outlaid upon, and towards the construction of that part of said line lying within said counties of Lagrange and Steuben. The intention of this provision being to secure the expenditure and outlay within the ensuing four years, of the aggregate sum of \$105,000 upon and towards the construction of that part of said line lying in said counties, to be contributed and supplied as above specified; *Provided, further,* That said subscriptions, to be made in the said counties, shall not be required unless the board of directors of said company open books of subscription at the county seats of LaGrange and Steuben, and of which time and place at least 30 days notice shall be previously given, and at which time and place the said books shall be kept open for the term of time of at least ten days, and the subscribers to such stock in said counties, shall be allowed to pay their stock subscriptions in cash, or in work, labor, and materials, for such road within their respective counties: *Provided,* That a failure to open books for subscriptions as herein provided, shall not release the said company from building said road from Goshen to Toledo, as aforesaid.

SEC. 10. This act shall take effect, and be in force from and after its passage and acceptance by the said Northern Indiana Railroad Company.

Mr. Dunn moved to postpone the further consideration of the subject, together with the bill, pending amendments, and accompanying documents, till Tuesday next, and that 200 copies of the amendments and accompanying documents be printed for the use of the Senate.

A division of the question being called for,

The question being on postponing till Tuesday next,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Athon, Cravens, Delevan, Dunn, Ellis, Goodman, Hamrick, Hanna, James, Knowlton, Logan, Miller, Milliken, Montgomery, Niblack, Odell, Turman, Windstanley, and Woods—21.

Those who voted in the negative were,

Messrs. Allen, Brugh, Dawson, Day, Defrees, Dole, Eddy, English, Garver, Harvey, Henton, Herod, Holloway, Hunt, Kinnard, Marshall, McCarty, Mickle, Porter, Reid, Sleeth, Teegarden, and Walker—23.

So it was not postponed.

When,

On motion by Mr. Cravens,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Woods asked and obtained leave to introduce the following resolution:

Resolved, That the Judiciary committee be requested to report to the Senate, at their earliest convenience, the action of said committee in relation to the sale of the Georgia lands to Martin R. Green.

Which was adopted.

The Senate then resumed the consideration of bill No. 40,

When,

Mr. McCarty offered the following amendment:

Add the following to the proper section:

Provided, That nothing in this act contained shall be so construed as to extend the rights or powers of this company west of Michigan City, nor so as in any manner to enlarge, diminish or affect the rights and powers of the commissioners for the Western Division of the Buffalo and Mississippi railroad.

On motion by Mr. Harvey,
The Senate agreed to go into committee of the whole on the bill,
on Saturday at 10 o'clock, A. M.
By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill No. 87 of the Senate, have had the same under consideration and have directed me to report the same back to the Senate and recommend its passage.

No. 87. A bill for the benefit of the Martinsville and Franklin Railroad Company.

Which was concurred in and the bill ordered to be engrossed.
By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 84, a bill to amend an act entitled an act to incorporate the Indiana Canal Company, have had the same under advisement, and instructed me to report it back without amendment and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.
By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill No. 66, entitled an act to incorporate the Winchester and Greenville Rail Road Company, have had the same under consideration, and have made sundry amendments thereto, which, when adopted, the passage of said bill is respectfully recommended.

Amend section 14 by adding to the end thereof the words, "but so as not to materially alter or change the route of said road."

Amend said bill by striking out sections 40, 41, 42, 43, 44, 45, 47, 48, 49, and 53.

Amend section 46 by striking out all of said section after the word act, in the 4th line.

Amend section 19 by striking out after "company," in the first line, the words "having commenced," and insert, "shall commence," and also, after the word "road," in the second line, insert the words, "within four years after the passage of this act and."

Which amendments were concurred in, and the bill ordered to be engrossed.

By Mr. Milliken;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill No. 99, entitled "a bill to amend an act entitled an act to incorporate the Williamsburgh and Centreville Turnpike Company," approved January 11, 1849, have had the same under consideration, and have directed me to report to the Senate and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.
By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill No. 54 of the House, entitled "an act to further amend an act to incorporate the Michigan Road Company, approved January 13, 1845, and for other purposes," have had the same under consideration, and have directed me to report it back to the Senate and recommend its passage.

Which bill,
On motion,
Was laid on the table.
By Mr. Niblack;

MR. PRESIDENT:

The select committee to whom was referred the petitions of sundry citizens of this State praying for the location of a State road from the town of Troy, in Perry county, by the way of Pleasant Valley and Dover Hill, in Martin county, and Spencer, in Owen county, to Greencastle, in Putnam county, have had the subject matter under consideration, and a majority of said committee have instructed me to report the accompanying bill and respectfully recommend its passage:

No. 150. A bill providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State.

Which was read a first time and passed to a second reading.
By Mr. Niblack;

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Dubois county, praying a modification of the Revised

Statutes of 1843, in relation to the distribution of school funds amongst the school districts in the several counties in this State, have had the same under consideration, and have instructed me to report that it is unnecessary and inexpedient to legislate upon the subject, inasmuch as the committee are of the opinion that "an act to amend the fifteenth chapter of the Revised Statutes of Indiana and repeal the eighty-third and ninety-eighth sections of the same," approved January 15, 1844, and "an act to amend the fifteenth chapter of the Revised Statutes," approved January 26, 1847, have granted all that is asked for in said petition, and afford ample relief in the premises; and said committee pray to be discharged from the further consideration of the subject.

Which was concurred in.
By Mr. Allen;

MR. PRESIDENT:

The select committee to whom was referred the petition of John Coon and others, asking the vacation of a certain State road leading from Pleasant Hill, in Montgomery county, to Fulton, in Fountain county, have had the same under consideration, and have directed me to report that legislation on the subject is inexpedient, and ask to be discharged from the further consideration of the subject.

Which was concurred in.
By Mr. Berry;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 108, entitled "an act for the relief of the Recorder of Franklin county," have had that subject under consideration, and respectfully recommend that the bill be stricken out from the enacting clause and the following substituted in lieu thereof:

That the fees of the County Recorders for issuing fee bills to collect fees for their predecessors shall be twenty cents for each fee so issued.

SEC. 2. It shall hereafter be the duty of the County Recorders to procure and record town plats in a book to be kept separately for that purpose; and it is hereby further declared that it was the intention of an act entitled "an act authorizing the Recorders of Franklin, Switzerland, and Knox counties to make out a general index," approved January 12, 1849, that town plats should be so recorded, instead of being recorded in the general index books.

SEC. 3. This act to take effect and be in force from and after its passage.

Which amendment was adopted, and the bill ordered to a third reading.

By Mr. Goodman;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 14, being an act defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin, Washington, Marshall, Fulton, Stark, Clinton, Scott, Johnson, and Randolph counties, together with instructions, have had the same under consideration, and direct me to report the same back and recommend that the bill be amended as instructed: also, to amend the bill by striking out "Clinton county," and when so amended, recommend its passage.

Which was concurred in, the amendments adopted, and the bill ordered to be engrossed.

By Mr. Harvey;

MR. PRESIDENT:

The select committee, to whom was referred the petition of R. Trowbridge, praying for the passage of an act to incorporate the town of New Winchester, in Hendricks county, have had the same under consideration, and instructed me to report the accompanying bill and recommend its passage; and said committee ask to be discharged from the further consideration thereof:

No. 151. A bill to incorporate the town of New Winchester, in Hendricks county.

Which was read a first time and passed to a second reading.
By Mr. Dawson;

MR. PRESIDENT:

The select committee, to whom was referred the petition of Jonas Emanuel and 193 other citizens of DeKalb county on the subject of fees of county officers, have had that subject under consideration, and have instructed me to report the following bill and respectfully recommend its passage:

No. 152. A bill defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes.

Which was read a first time and ordered to a second reading.
By Mr. Mickle;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 8, have had the same under consideration, and directed me to report the same back to the Senate with sundry amendments, and when so amended, recommend its passage:

No. 8. A bill to provide for electing supervisors by districts, in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, LaGrange, Tipton, Clinton, and Harrison.

Amend the first section by inserting the name of the counties of "Adams, Jay, and Blackford;"

Also, by striking out of said section all after the word "township;"

Also, amend the title by adding in the proper place "Adams, Jay, and Blackford."

Which amendments were adopted.

Mr. Delevan offered the following amendment:

Add the "county of Morgan," to the provisions of the bill;

Which was adopted, and the bill ordered to a third reading.

RESOLUTIONS INTRODUCED.

By Mr. Milliken;

Resolved, That the Senate will, after this week, take up the orders of the day at 2 o'clock, P. M.;

Which was adopted.

By Mr. Mickle;

Resolved, That the State Printer be requested to lay before the Senate, without delay, the annual report of the Auditor of State, ordered to be printed for the use of the Senate early in the session.

Which was adopted.

By Mr. James;

Resolved, That the State Printer be requested to lay before the Senate, without delay, the German messages ordered to be printed in the German language for the use of the Senate.

Which was adopted.

By Mr. Miller;

Resolved, That the State Printer be requested to lay before the Senate, without further delay, the report of the trustees of the Wabash and Erie Canal.

Which was adopted.

BILLS INTRODUCED.

By Mr. James;

No. 153. A bill to incorporate the Evansville Hotel Company;

Was read a first time, and

On motion by Mr. James,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Adams;

No. 154. A bill authorizing County Auditors to administer oaths in certain cases therein specified;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

By Mr. Holloway;

No. 155. A bill to amend an act entitled "an act to incorporate the Wayne County Turnpike Company, approved December 5th, 1848;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Turman;

No. 156. A bill to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbot;

Was read a first time, and

On motion by Mr. Turman,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Milliken;

No. 157. A bill to consolidate and publish in one act the several acts incorporating the city of Lawrenceburgh, and to revise and amend the same.

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Logan;

No. 158. A bill to prevent Clerks and Sheriffs from purchasing judgments and decrees in the courts to which they act as Clerks and Sheriffs;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the Judiciary committee.

By Mr. Reid;

No. 159. A bill to authorize the township Trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge tax in said township.

Which was read a first time, the rules suspended, the bill read a second time, and ordered to be engrossed.

By Mr. Hunt;

No. 160. A bill to incorporate the Anderson, Alexandria and Jonesborough Plank Road Company;

Was read a first time, and

On motion by Mr. Hunt,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Marshall;

No. 161. A bill to incorporate the Subordinate Lodges of the Independent Order of Odd Fellows;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

By Mr. Garver;

No. 162. A bill to change the February term of the Hamilton Probate Court;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Cravens;

No. 163. A bill to repeal an act entitled an act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes, approved January 20, 1846.

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

ORDERS OF THE DAY.

Senate Bills on third reading.

No. 19. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved Jan. 17, 1849.

Was read a third time and passed.

No. 90. A bill to incorporate the Ohio and Wabash Plank Road Company.

Was read a third time and passed.

No. 98. A bill for the protection of persons and property on railroads.

Was read a third time and passed.

No. 100. A bill authorizing the taking of newspapers for the State Library.

Was read a third time, when,

Mr. Dunn moved to make it the special order of the day for Monday next, at 10 o'clock, A. M.

Mr. Dunn moved a call of the Senate.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Brugh, Defrees, Dole, Dunn, Ellis, Graham, Harvey, Holloway, James, Logan, Marshall, McCarty, Niblack, Odell, Turman, Walker, and Winstandley—17.

Those who voted in the negative were,

Messrs. Adams, Allen, Cravens, Dawson, Delevan, Goodman, Hamrick, Hanna, Henton, Hunt, Kinnard, Knowlton, Mickle, Miller, Milliken, Montgomery and Porter—17.

So there was not a call of the Senate.

Mr. Winstandley moved that the Senate adjourn;

Which was decided in the negative.

Mr. Porter moved to indefinitely postpone the bill;

When,

On motion by Mr. Dunn,

The bill was laid on the table.

No. 103. A bill to authorize the Governor, Auditor and Treasurer of State, to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention;

Was read a third time and passed.

No. 129. A bill for the construction of a sewer at the State's Prison.

Was read a third time and passed.

No. 130. A bill declaring Mill Creek in Morgan county a public highway;

Was read a third time and passed.

No. 131. A bill to incorporate the New Albany Hotel Company;

Was read a third time and passed.

BILLS OF THE HOUSE ON THIRD READING.

No. 13. A bill to incorporate the Bluffton, Camden and Winchester Plank Road Company.

Was read a third time and passed.

No. 53. A bill to incorporate the Peru and Anderstown Plank Road Company;

Was read a third time and passed.

No. 78. A joint resolution in relation to the bounty land laws of Congress, of September 28, 1850.

Was read a third time and passed.

No. 95. A bill authorizing the location of a State road, from Hartford in Blackford county, through New Cumberland, in Grant county to Kokomo, in Howard county;

Was read a third time and passed.

No. 111. A bill amendatory of the act incorporating the townships of Dearborn county, so as to authorize the board of County Commissioners of said county, to establish additional election precincts if they deem it expedient.

Was read a third time and passed.

No. 123. A bill authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate;

Was read a third time and passed.

No. 144. A bill to change the time of holding the February Term of the Crawford Probate court;

Was read a third time and passed.

No. 148. A bill to change the name of Mount Wallaston in White county to Norway;

Was read a third time and passed.

No. 157. A bill to extend the time of the sessions of the board of Commissioners of Wayne county;

Was read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 137. A bill to relocate a State road in DeKalb county;

Was read a second time and referred to a select committee consisting of Messrs. Dawson, Mickle and Goodman.

No. 138. A bill making an appropriation for completing the engine house at the State Prison;

Was read a second time, and referred to the committee on Finance.

No. 139. A bill to legalize the acts of the late Treasurer of Elkhart county, and for other purposes;

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 140. A bill for the benefit of the Auditor of the county of Ripley;

Was read a second time, and ordered to be engrossed.

No. 145. A bill to vacate a portion of a certain State road;

Was read a second time, and ordered to be engrossed.

No. 147. A joint resolution for the relief of the Lessee of the State Prison;

Was read a second time,

When,

Mr. Dunn offered the following amendment:

Strike out the bill from the enacting clause, and insert the following—

SECTION 1. That the Governor of the State of Indiana, be authorized to ascertain the probable loss of S. H. Patterson, the lessee of the Indiana State Prison by cholera, small pox and by fire in said Prison, and that he be authorized to remit one half of the loss so sustained on any rent now, or to become due by said Patterson to said State;

When,

On motion by Mr. Milliken,

The bill was referred to the committee on Finance.

No. 148. A joint resolution in relation to the pay of Austin H. Brown, printer to the Constitutional Convention of this State;

Which was read a second time, and

On motion by Mr. Milliken,

Referred to a select committee consisting of Messrs. Holloway, Niblack, Cravens, Hanna, Dunn and Turman.

On motion by Mr. Turman,

No. 111. A bill to incorporate the town of Covington, in Fountain county,

Was taken from the table;

The amendment adopted, the bill read a third time, and passed.

Mr. McCarty moved to take from the table,

No. 54. A bill to further amend an act entitled "an act to incorporate the Michigan Road Company," approved January 13, 1845, and for other purposes;

Was read a second time, and

On motion,

The rules were suspended, the bill read a third time, and passed.

No. 126. A bill to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved January 13, 1845;

Was read a second time, and referred to the committee on Corporations.

No. 127. A bill to amend an act to incorporate the Madison County Hydraulic Manufacturing Company, approved January 15, 1849;

Was read a second time, and referred to the committee on Corporations.

No. 128. A bill to amend an act to declare certain water courses in the counties of Perry and Spencer, public highways, and for other purposes, approved January 17, 1850;

Was read a second time, and ordered to a third reading.

No. 136. An act to change the names of persons therein named.
Was read a second time and ordered to a third reading.

No. 137. An act to repeal an act entitled an act to locate a State Road in the counties of Decatur, Jennings, and Bartholomew, approved January 5, 1849.

Was read a second time, and

On motion,

The bill was indefinitely postponed.

No. 138. An act to locate a State road in the counties of Pulaski, Starke, and Laporte.

Was read a second time and passed to a third reading.

No. 139. A bill to locate a State road in the counties of Hamilton, Tipton and Howard.

Was read a second time and passed to a third reading.

No. 140. A bill to legalize certain acts of the Henry County Turnpike Company, and for other purposes.

Was read a second time and referred to the committee on Corporations.

No. 142. A bill to regulate the sale of spirituous liquors in Jackson county, Indiana.

Was read a second time, and

On motion,

Laid on the table.

No. 149. A bill to authorize Loyd Brown and Eli Brown to erect and maintain a milldam across White river, in Madison county.

Was read a second time and passed to a third reading.

No. 155. A bill to revise and extend the provisions of an act to incorporate the town of Anderson, approved February 17, 1849.

Was read a second time and passed to a third reading.

Leave being granted,

Mr. McCarty introduced,

No. 164. A bill to incorporate the Indiana Fire and Marine Insurance Company.

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

On motion by Mr. Dunn,

The Senate adjourned.

SATURDAY MORNING, January 25, 1851.

The Senate met.

On motion by Mr. Harvey,

The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Hamrick;

The petition of John Gilmore and 200 others, on the subject of temperance.

Which was referred to the committee on Temperance.

BILLS INTRODUCED.

By Mr. Day;

No. 165. A bill to establish and legalize the name of Mary Jacoby, and for other purposes.

Was read a first time and passed to a second reading.

By Mr. Athon;

No. 166. A bill to incorporate the Monumental Association.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Athon, Adams, and Cravens.

Mr. Miller asked and obtained leave to introduce the following resolution:

Resolved, That the committee on Finance will inquire into the expediency of so amending the present revenue law so that no delinquent lands shall hereafter be sold for taxes or returned delinquent, while the owners have sufficient personal property subject to execution to pay the same.

Which was adopted.

By Mr. Athon;

No. 167. A bill for the relief of John J. Cummins.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Finance.

Mr. Dawson presented the claim of Joseph Nodine, County Sur-

veyor of DeKalb county, for selecting and surveying swamp lands ceded to Indiana by the General Government.

Which was referred to the committee on Swamp Lands.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 84. A preamble and act to amend an act entitled "an act to incorporate the Indiana Canal Company," approved December 6, 1848, and the amendments thereto, approved January 17, 1849.

Was read a third time and passed.

No. 87. A bill for the benefit of the Martinsville and Franklin Railroad Company.

Was read a third time and passed.

No. 99. A bill to amend an act entitled "an act to incorporate the Williamsburgh and Centerville Turnpike Company;"

Was read a third time and passed.

No. 107. A bill authorizing licensed merchants to vend clocks;

Was read a third time and passed.

No. 121. A bill in relation to the jurisdiction of Justices of the Peace in Lawrence county;

Was read a third time and passed.

No. 140. A bill for the benefit of the Auditor of Ripley county;

Was read a third time and passed.

No. 145. A bill to vacate a portion of a certain State road;

Was read a third time and passed.

No. 154. A bill authorizing County Auditors to administer oaths in certain cases therein specified.

Was read a third time and passed.

No. 159. A bill to authorize the Township Trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge tax in said township;

Was read a third time and laid on the table.

HOUSE BILLS ON THIRD READING.

No. 8. A bill to provide for electing Supervisors by districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, La-grange, Tipton, Clinton and Harrison;

Was read a third time and passed.

When,

On motion by Mr. Brugh,

The title of the bill was amended by adding the counties of Adams, Jay, Blackford, and Morgan.

No. 14. A bill defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin,

Washington, Marshall, Fulton, Starke, Clinton, Scott, Johnson, and Randolph counties;

Was read a third time and passed.

When the title of the bill was amended by striking out the counties of Scott, Floyd, Martin, and Clinton.

No. 66. A bill to incorporate the Winchester and Greenville Railroad Company;

Was read a third time and passed.

No. 108. A bill for the relief of the Recorder of Franklin county;

Was read a third time and passed.

No. 128. An act to amend an act to declare certain water courses in the counties of Perry and Spencer, public highways, and for other purposes, approved January 17th, 1850.

Was read a third time and passed.

No. 136. A bill to change the name of the persons therein named;

Was read a third time and passed.

No. 138. A bill to locate a State road in the counties of Pulaski, Starke, and Laporte;

Was read a third time and passed.

No. 139. A bill to locate a State road in the counties of Hamilton, Tipton, and Howard;

Was read a third time, when,

On motion by Mr. Garver,

The bill was re-committed to a select committee consisting of Messrs. Garver, Brugh, and Buckles.

No. 149. A bill to authorize Loyd Brown and Eli Brown to erect and maintain a mill dam across White river, in Madison county.

Was read a third time and passed.

No. 155. A bill to revise and extend the provisions of an act to incorporate the town of Anderson, approved February 17th, 1849.

Was read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 149. A bill for the encouragement of agriculture.

Was read a second time,

When,

Mr. Holloway offered the following amendment:

Amend the 5th section by striking out the words "third Tuesday in February," and insert the words "at such time as the Governor may appoint."

Which amendment was adopted and the bill ordered to be engrossed.

No. 150. A bill providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State.

Which was read a second time and ordered to be engrossed.

No. 151. A bill to incorporate the town of New Winchester, in Hendricks county.

Which was read a second time, the rules suspended, the bill read a third time and passed.

No. 152. A bill defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes.

Which was read a second time and ordered to be engrossed.

The following message from the House of Representatives was then taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insists upon the engrossed amendment thereof, to the engrossed bill of the Senate:

No. 15. An act for the relief of Joseph Allen, of Crawford county.

In which the concurrence of the Senate is respectfully requested. The question being does the Senate adhere?

Was decided in the affirmative.

Also the following message was received from the House by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to the engrossed bill of the House:

No. 82. An act to amend section 13 of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 55. An act to incorporate the Columbia, Oswego, and Leesburg Plank Road Company.

No. 64. An act locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes.

No. 73. An act to amend an act to incorporate the Ohio river and Princeton Plank Road Company.

No. 93. An act to repeal an act therein named.

No. 94. An act to amend an act entitled an act to restrict the County Commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation, approved January 16th, 1848.

No. 142. An act to change the time of holding the February term of the probate court of Elkhart county, for the year 1851.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof, to-wit:

No. 63. An act relative to the purchase of books made by the Governor for the use of the convicts in the State prison, and for other purposes.

No. 64. An act to enable the inhabitants of school district No. 8, in Congressional township No. 36, North of range No. 3 west, in the county of Laporte, to levy a tax sufficient to build a school house.

No. 69. An act to reduce the fees of the Recorder of the county of Brown.

No. 73. An act to amend an act entitled an act to incorporate the White county Monticello Bridge Company, approved January 15th, 1850.

No. 92. A joint resolution authorizing the United States to purchase a site and erect a Marine Hospital at Evansville, or in its immediate vicinity.

No. 101. An act to amend an act entitled an act to incorporate certain turnpike companies therein named, approved January 29th, 1839.

No. 109. An act to vacate part of Water street, in the town of Williamsport, in the county of Warren, and State of Indiana.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon,

The President affixed his signature thereto.

On motion by Mr. Milliken,

The vote ordering bill No. 149 to be engrossed was reconsidered.

The hour having arrived, the Senate went into committee of the whole on Senate bill No. 40, a bill in relation to the Northern Indiana Railroad Company, Mr. Montgomery in the chair.

After having spent some time, the committee rose and reported progress, and asked leave to sit again.

On motion by Mr. Cravens,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Turman submitted the following resolution:

Resolved, That the Auditor of State be requested to lay before the Senate his reasons for refusing to audit the account of Austin H. Brown, for printing done for the Convention.

Which was adopted.

Mr. Niblack introduced the following bill:

No. 168. A bill to incorporate the New Albany and Vincennes Plank Road Company;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

Mr. James introduced the following bill:

No. 169. A bill to annex the town of Belleville, &c., in the county of Posey, to the town of Mount Vernon;

Which was read a first time and,

On motion by Mr. James,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Allen introduced the following bill:

No. 170. A bill to amend an act entitled "an act to incorporate the Crawfordsville and Wabash Railroad Company," approved January 19th, 1846, and the act amendatory thereto;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to a select committee consisting of

Messrs. Allen, Odell, and Hamrick.

Mr. Dole submitted the following report:

MR. PRESIDENT:

The committee on Roads, to whom was referred bill of the Senate No. 113, a bill for the relief of persons residing in incorporated cities, have had the same under consideration, and have instructed me to report the same back with the following amendment, and when so amended, recommend its passage:

Add to section 1 the following proviso:

Provided, That the proper officer having charge of the streets of any city or town incorporated under the provisions of the act above referred to, shall have power, under the direction of the trustees thereof, to require the performance of labor upon any State or county road leading to or from said city or town to the distance of one-half mile from the limits thereof.

Which amendment was adopted, the bill read a third time and passed.

Mr. Miller submitted the following report:

MR. PRESIDENT:

The committee on Roads, to whom was referred bill of the Senate No. 141, a bill establishing a State road in the counties of Orange and Crawford, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

Which was read a second time and ordered to be engrossed.

Mr. Winstandley made the following report:

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 109, entitled "a bill to incorporate the Plainfield Seminary," have considered the same, and instructed me to report the same back to the Senate without amendment and recommend its passage.

Which was read a second time, the rules suspended, the bill read a third time and passed.

The following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof, to-wit:

No. 183. An act for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county.

No. 210. An act to enable the Board of Commissioners of Lake county to borrow money to build and finish a Court House and Jail.

No. 214. An act extending the provisions of an act therein named to the Eleventh Judicial Circuit.

No. 218. An act to amend an act to extend the term of the Probate Court of the county of Monroe, and for other purposes, approved January 21st, 1850.

No. 221. An act to amend an act entitled "an act to incorporate the Ladies' Sigourney Library at Logansport," approved December 27th, 1848.

No. 237. A joint resolution on the subject of the compromise measures passed at the last session of Congress.

In which the concurrence of the Senate is respectfully requested.

No. 183, contained in the preceding message, was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

Bills Nos. 210, 214, 221 and 237 contained in the preceding message, were severally read a first time and passed to a second reading.

No. 218, contained in the preceding message of the House, was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

The following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 15. An act to incorporate the Laporte Male and Female Seminary.

No. 61. An act to amend an act entitled an act relative to the leveeing of the Wabash river on Shaker prairie, approved January 14, 1846, and to repeal an act amendatory thereto, approved January 21, 1850.

No. 65. A joint resolution on the subject of appropriating money for the erection of a public building.

No. 88. An act to amend sections 302, 303, and 304 of article 13, chapter 17, Revised Statutes of 1843; also, section 2 of chapter 61, on pages 1030, 1031 and 1032 of Revised Statutes of 1843, and for other purposes.

No. 104. An act to amend an act entitled "an act changing the

mode of doing business in the counties of Crawford, Dubois and Perry, and for other purposes.

No. 107. An act relative to the election of Prosecuting Attorneys.

No. 135. An act to incorporate the Mullakin Mill and Junction Plank or Clay Turnpike Road Company.

No. 200. A joint resolution on the subject of the Michigan City harbor.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 15, 61, 237, 65, 88, 104, 135 and 200, contained in the preceding message, were severally read a first time and passed to a second reading.

No. 107, contained in the preceding message, was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion by Mr. Graham,

The bill was laid on the table.

On motion by Mr. Milliken,

No. 159. A bill to authorize the township Trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge tax,

Was taken from the table, read a third time and passed.

The following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the House:

No. 31. An act relative to the Laporte and Plymouth Plank Road Company.

No. 124. An act to incorporate the Vanderburgh Manufacturing Company.

No. 32. An act to vacate part of the State road leading from Harrison to Indianapolis.

No. 147. An act to incorporate the Newport and Winchester Plank Road Company.

No. 156. An act to amend an act entitled "an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849," so far as relates to the county of Daviess.

No. 161. An act authorizing the sale of section 16, in Congressional township 24, north of range 12 east, in Jay and Blackford counties.

No. 162. An act in relation to the South Bend and Plymouth Plank Road Company.

No. 164. An act relating to the recording deeds in Laporte county.

No. 165. An act to amend chapter 7, article 1, section 2, of the Revised Code.

No. 170. An act declaring a certain county road therein named a State road.

No. 173. An act for the relief of Andrew Morgan, of Dearborn county.

No. 184. An act to change the name of Shadrach Anderson to that of Wm. Johnson.

No. 195. An act declaring Flat creek, in Pike and Dubois counties, a public highway.

No. 196. An act declaring Hall's creek, in Dubois county, a public highway.

No. 201. A act to amend an act entitled an act to increase and extend the benefit of common schools, approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county of Vigo.

No. 202. An act to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall.

No. 206. An act to incorporate the town of Hope, in Bartholomew county.

No. 238. An act to restrict the powers of the grand jury of Shelby, Rush, Knox, Daviess, and Martin counties, and to limit the term of their sessions.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 31, 124, 132, 147, 156, 161, 162, 164, 165, 170, 173, 184, 195, 196, 201, 202, and 206, contained in the foregoing message, were severally taken up and read a first time, and ordered to a second reading.

No. 238, contained in the message, was taken up, read a first time, the rules suspended, the bill read a second time, and referred to the Judiciary committee.

The following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate:

No. 1. An act for the relief of borrowers of the School Fund, With one amendment.

Also, No. 36. An act to incorporate the Cicero and Kirklin Plank Road Company, With two amendments.

Also, No. 38. An act to legalize the election of the Treasurer of Madison county,

With one amendment.

Also, No. 63. An act in relation to the suit of the Vincennes University against the State of Indiana,

With one amendment.

In all of which amendments the concurrence of the Senate is respectfully requested.

Bills Nos. 1, 36, and 38, contained in the message, were taken up and the engrossed amendments of the House were severally concurred in by the Senate.

Bill No. 63, contained in the message, was taken up.

The question being on concurring in the engrossed amendment of the House,

The Senate refused to concur.

The President laid before the Senate the following communication from the State Printer:

INDIANAPOLIS, January 25, 1851.

HON. J. H. LANE,

President of the Senate:

SIR—In answer to a resolution of the Senate, we submit the following statement: The House and Senate each ordered 500 copies of the Governor's message in German, and in delivering them they were taken by the Binder, after the houses had adjourned, and left at the room of the Door-keeper of the House, with the understanding that they would be divided between the two houses on the next morning. We learn, however, that they were all, with the exception of 100 copies, distributed in the House.

We can prepare a new edition for the Senate, if desired, in the course of next week, the expense of which will be about twenty-five dollars.

Very Respectfully,

ELLIS & SPANN.

For J. P. CHAPMAN,

State Printer.

Which was laid on the table.

The President laid before the Senate the following communication from the Secretary of the Indiana Mutual Insurance Company:

OFFICE INDIANA MUTUAL FIRE INSURANCE COMPANY, }
Indianapolis, January 25, 1851.

HON. JAMES H. LANE,
President of the Senate:

SIR—Herewith I send a copy of the Fourteenth Annual Report of the Directors to the members, as required by the twenty-second section of the act incorporating this Company.

Very respectfully, your obedient servant,
CHAS. W. CADY, *Sec'y.*

Which was laid on the table.

Mr. Graham asked and obtained leave to introduce the following bill:

No. 171. A bill legalizing the proceedings of a certain Plank Road Company;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bill thereof:

No. 54. An act to further amend an act entitled "an act to incorporate the Michigan Road Company," approved January 13th, 1845, and for other purposes.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bill thereof:

No. 144. An act to change the time of holding the February term of the Crawford Probate Court.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

No. 9. An act authorizing the Probate Judge of Hamilton county to appoint an administrator on the estate of John S. Massey.

No. 43. An act relative to the Jeffersonville Association.

No. 48. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

No. 62. An act to amend section 29 of the act to incorporate the Fort Wayne and Columbus Plank Road Company.

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana.

No. 57. An act to vacate the streets and alleys in the town of Fairview, Montgomery county.

No. 105. An act to change the time of holding the Probate Courts in the county of Vermillion.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

On motion by Mr. Turman,
The Senate adjourned.

MONDAY MORNING, January 27, 1851.

The Senate met.

On motion by Mr. Milliken,
The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Harvey;

The petition of Wm. Johnson and others, upon the subject of railroads.

Which was referred to a select committee consisting of Messrs. Harvey, Hanna, Hamrick, Buckles, and Teegarden.

By Mr. Mickle;

The petitions of ladies and gentlemen of Wells county, on the subject of temperance.

Which were referred to the committee on temperance.

On motion by Mr. Marshall,

The memorial of citizens of Madisen was taken up, and referred to the committee on Corporations.

Mr. Miller asked and obtained leave to withdraw from the files a communication in reference to the New Albany and Vincennes road.

REPORTS FROM STANDING COMMITTEES.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 144, have had the same under consideration, and have directed me to report it back to the Senate and recommend its passage.

No. 44. A bill to revive and amend the Connersville and Brownsville Turnpike Company.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 106, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

No. 106. A bill of the House to amend an act entitled "an act to incorporate the Greensburgh and Brookville Turnpike Company, approved January 15, 1849.

Which was concurred in and the bill ordered to a third reading.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 60, "an act relative to plank roads," have had the same under consideration, and have authorized me to report the same back without amendment, and recommend its passage.

When,

On motion by Mr. Graham,

The bill was recommitted to Senators Graham, Mickle, Ellis, Defrees and James.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 119, "an act to incorporate the Goshen and Plymouth Plank Road Company," have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill No. 164, an act to incorporate the Indiana Fire and Marine Insurance Company, has had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, and recommend its passage:

Add in the 2d line, and after the second syllable in said line, the following: "after giving at least thirty days' notice in at least two of the newspapers published in the city of Indianapolis."

In the 2d section, and third line, after the word company, the following: "and shall keep the same open at least ten days, and if a greater amount of subscribers than is required by the terms of the advertisement under the act of incorporation, the surplus shares so subscribed shall be taken from each subscriber, commencing at the highest number, till they are reduced within the limits prescribed."

Which amendments were adopted, and the bill ordered to be engrossed.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 120, entitled a bill to incorporate the Commercial Railroad Company, have had the same under consideration, and have directed me to report it to the Senate and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 143, entitled a bill to incorporate a Gas Light Company in the city of Madison, have had the same under consideration, and have directed me to report it back and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 127, being a bill for an amendment to the act incorporating the Madison County Hydraulic Manufacturing Company, have had the same under consideration, and have requested me to return the same to the Senate and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 124, a bill to amend the act incorporating the Brookville and Connersville Turnpike Company, have had the same under consideration and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Milliken;

MR. PRESIDENT:

The committee on Corporations to whom was referred Senate bill

No. 160, have had the same under consideration and directed me to report it back to the Senate and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Alexander;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 18, an act entitled an act fixing the salary of the Auditor of the county of Owen, have had the same under consideration and instruct me to report the same back to the Senate, and after the adoption of the following amendments recommend the passage of said bill:

Amend by striking out section 2nd. and inserting section 3rd.

Amend further by adding after the first section the following:

SEC. 2. And that an act abolishing the office of County Auditor in certain counties therein named, approved January 15th, 1844, be, and the same is hereby revived.

Which report was concurred in, the amendments adopted, and the bill ordered to a third reading.

By Mr. Dawson;

MR. PRESIDENT:

The select committee to whom was referred Bill of the Senate No. 137, have had the same under consideration, and have made sundry amendments thereto, which, when adopted, they recommend its passage:

No. 137. A bill to relocate a State road in DeKalb county.

Amendments:

1st. 1st and 9th lines, 1st section, strike out 12 and insert 13.

2nd. 17th and 18th lines of the 2nd section, strike out the words "in which said section 26 is substituted," and insert the words "of Smithfield."

3rd. 22nd line of 2nd section, the words "said report."

4th. 2nd line, 3rd section, insert after the word "township," the words "of Smithfield."

5th. Insert at the end of the 4th. line, of the 3rd. section, the word "allowance."

Which was concurred in, the amendments adopted, and the bill ordered to be engrossed.

By Mr. Milliken;

MR. PRESIDENT:

The select committee on apportionment have had that subject under

consideration, and directed me to report the accompanying bill and recommend its passage:

No. 172. A bill to apportion Senators and Representatives for the next five years.

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion by Mr. Ellis,

Laid on the table and 200 copies ordered to be printed.

The following message was received from the House of Representatives, by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate without amendment:

No. 70. An act to incorporate the Wabash Railroad Company

BILLS INTRODUCED.

By Mr. James;

No. 173. A bill to provide for the election of justices of the peace in West Franklin, Posey county.

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Odell;

No. 174. A bill relative to the Western Plank Road Company.

Was read a first time and passed to a second reading.

By Mr. Odell;

No. 175. A bill to amend an act entitled an act to incorporate the Lafayette Plank Road Company, approved January 3rd, 1849.

Which was read a first time and passed to a second reading.

By Mr. Dawson;

No. 176. A bill declaring certain laws in force in the counties of DeKalb, Noble, and Steuben;

Which was read a first time, the rules suspended, the bill read a second time, and ordered to be engrossed.

By Mr. Odell;

No. 177. A bill authorizing the Western Plank Road Company to issue and sell bonds;

Was read a first time, and ordered to a second reading.

By Mr. Milliken;

No. 178. A bill to prevent the consolidation of indictments in certain cases in the county of Dearborn;

Was read a first time, and ordered to a second reading.

By Mr. Eddy;

No. 179. A bill in relation to a certain street and road therein named.

Was read a first time, the rules suspended, the bill read a second time, and referred to a select committee, consisting of Messrs. Eddy, Mickle and Dawson.

By Mr. Garver;

No. 180. A bill to amend an act entitled an act to incorporate the Lake Michigan, Logansport and Ohio River Railroad Company;

Was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Milliken;

No. 181. A bill conferring additional powers upon the Lawrenceburgh and Upper Mississippi Railroad Company;

Was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Marshall;

No. 182. A bill to organize a court of common pleas in the county of Jefferson.

Was read a first time, the rules suspended, the bill read a second time, and referred to the Judiciary committee.

ORDERS OF THE DAY.

Senate Bills on third reading.

No. 141. A bill establishing a State road in the counties of Orange and Crawford;

Was read a third time and passed.

No. 150. A bill providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State;

Was read a third time and passed.

No. 152. A bill defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes;

Was read a third time, and referred to a select committee, consisting of Messrs. Dawson, Mickle and Berry.

The Senate then resumed the consideration of bill No. 149, a bill for the encouragement of Agriculture;

Mr. Cravens moved to lay the bill on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Dawson, English, Goodman and Miller—5.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Day, Defrees, Dole, Dunn, Eddy, Ellis, Garver, Hanna, Harvey, Henton, Holloway, Hunt, James, Kinnard, Marshall, McCarty, Mickle, Milliken, Montgomery, Niblack, Porter, Reid, Teegarden, Turman, Walker, Winstandley and Woods—33.

So the bill was not laid on the table.

On motion by Mr. Dunn,

William McLain of Lawrence county was added to the board.

On motion by Mr. Ellis,

Samuel Emerson of Knox county was added to the board.

Mr. Porter moved to strike out the section appropriating one thousand dollars.

Mr. Cravens moved to recommit with the following instructions:

Amend said bill by striking out all that relates to an appropriation of one thousand dollars by the State, and require the same to be paid by the counties organizing under the provisions of this act.

Mr. Harvey moved to lay the instructions on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Brugh, Day, Delevan, Dole, Dunn, Eddy, Ellis, Garver, Hamrick, Hanna, Harvey, Holloway, Hunt, Kinnard, Knowlton, Marshall, McCarty, Milliken, Niblack, Odell, Reid, Turman, and Woods—25.

Those who voted in the negative were,

Messrs. Allen, Athon, Cravens, Dawson, English, Goodman, Henton, Mickle, Miller, Montgomery, Porter, Walker, and Winstandley—13.

So the instructions were laid on the table.

On motion by Mr. Ellis,

The amendment of Mr. Porter was laid on the table.

Mr. Holloway offered the following amendment:

Amend section 10 by adding the following words to the end of said section: "out of the money appropriated by the 8th section of this bill."

On motion by Mr. Cravens,

John McMahan, of Washington county, was added to the Board.

Mr. Mickle moved to recommit the bill, with instructions to report one from each judicial circuit.

Mr. Winstandley moved to recommit the bill with the following instructions:

Strike out the names of all the commissioners, and insert the name of one commissioner from each Congressional district, and two for the State at large.

Which was not adopted.

Mr. Woods moved to recommit the bill with the following instructions:

Amend so that one member of the State Board shall be selected from each Congressional district.

Mr. Garver moved to amend the instructions by authorizing the court to appoint one person from each judicial circuit.

Which was not adopted.

Mr. Reid offered the following amendment:

Amend by inserting "one from each Congressional district, and two for the State at large, of whom the Governor shall be one of the two named for the State at large."

On motion by Mr. Ellis,

The amendments were laid on the table.

Mr. Niblack moved to recommit with the following instructions:

Amend by inserting, "one member from each judicial circuit, and one from the State at large."

On motion by Mr. Holloway,

The instructions were laid on the table.

On motion by Mr. Mickle,

Thomas W. Sweney, of Allen county, was added to the board.

The question being on the engrossment of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Brugh, Day, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, Garver, Hamrick, Harvey, Holloway, Hunt, James, Kinnard, Knowlton, Marshall, McCarty, Mickle, Milliken, Niblack, Odell, Reid, Sleeth, Teegarden, Turman, Walker, Winstandley, and Woods—30.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Cravens, Dawson, English, Goodman, Hanna, Henton, Miller, Montgomery, and Porter—12.

So the bill was ordered to be engrossed.

On motion by Mr. Harvey,

The rules were suspended, the bill read a third time and passed.
Mr. Winsteadley moved to reconsider the vote on the passage of the bill;

Which was decided in the negative.

No. 165. A bill (of the Senate) to establish and legalize the name of Mary Jacoby, and for other purposes;

Was read a second time and

On motion by Mr. Day,

The rules were suspended, the bill read a third time and passed.

HOUSE BILLS ON SECOND READING.

No. 15. A bill to incorporate the Laporte Male and Female Seminary;

Was read a second time and passed to a third reading.

No. 31. A bill relative to the Laporte and Plymouth Plank Road Company;

Was read a second time and,

On motion,

Referred to the committee on Corporations.

No. 61. A bill to amend an act entitled "an act relative to the leveeing of the Wabash river on Shaker Prairie," approved January 14th, 1846, and to repeal an act amendatory thereto, approved January 21st, 1850;

Was read a second time and,

On motion,

Referred to a select committee consisting of Messrs. Ellis, Dunn, and Niblack.

No. 65. A joint resolution on the subject of appropriating money for the erection of a public building;

Was read a second time and,

On motion,

Referred to the committee on Federal Relations.

No. 88. A bill to amend sections 302, 303, and 304, of article 13, chapter 17, of the Revised Statutes of 1843. Also, section 2, of chapter 61, on page 1030, 1031, and 1032, of Revised Statutes of 1843, and for other purposes;

Was read a second time and,

On motion,

Referred to the Judiciary committee.

No. 104. A bill to amend an act entitled "an act changing the mode of doing business in the counties of Crawford, Dubois, and Perry, and for other purposes;

Was read a second time and,

On motion,

The rules were suspended, the bill read a third time and passed.

No. 124. A bill to incorporate the Vanderburgh Manufacturing Company;

Was read a second time and,

On motion,

Referred to the committee on Corporations.

No. 132. A bill to vacate part of the State road leading from Harrison to Indianapolis;

Was read a second time and ordered to a third reading.

No. 135. A bill to incorporate the Mullican Mill and Junction Plank or Clay Turnpike Road Company;

Was read a second time and,

On motion,

Referred to the committee on Corporations.

No. 147. A bill to incorporate the Newport and Winchester Plank Road Company;

Was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 156. A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Davis;

Was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 161. A bill authorizing the sale of section 16, in Congressional township twenty-four, north of range twelve east, in Jay and Blackford counties;

Was read a second time, and

On motion,

Referred to the committee on Education.

No. 162. A bill in relation to the South Bend and Plymouth Plank Road Company;

Was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 164. A bill relating to recording deeds in LaPorte county;

Was read a second time, and ordered to a third reading.

No. 165. A bill to amend chapter 7, article 1, section 2, of the Revised Statutes;

Was read a second time and passed to a third reading.

No. 170. A bill declaring a certain county road therein named a State road.

Was read a second time and passed to a third reading.

No. 173. A bill for the relief of Andrew Morgan of Dearborn county;

Was read a second time, and

On motion,

Referred to the committee on Claims.

No. 184. A bill to change the name of Shadrack Anderson to that of William Johnson;

Was read a second time, and

On motion,

The rules were suspended, the bill read a third time and passed.

No. 195. A bill declaring Flat Creek, in Pike and Dubois counties a public highway;

Was read a second time, and

On motion,

Referred to a select committee, consisting of Messrs. Hanna, Graham and Goodman.

No. 196. A bill declaring Halls Creek in Dubois county, a public highway;

Was read a second time, and

On motion,

Referred to Senators Goodman, Hunt and Miller.

No. 200. A joint resolution on the subject of the Michigan City Harbor;

Was read a second time, and

On motion,

The rules were suspended, the joint resolution read a third time and passed.

No. 201. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county of Vigo;

Was read a second time, and

On motion by Mr. Winstandley,

Was referred to the committee on Education.

No. 202. A bill to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall;

Was read a second time and passed to a third reading.

No. 206. A bill to incorporate the town of Hope in Bartholomew county;

Was read a second time, and ordered to a third reading.

No. 210. A bill to enable the Board of Commissioners of Lake county to borrow money to build and finish a court house and jail.

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 214. A bill extending the provisions of an act therein named to the Eleventh Judicial Circuit.

Was read a second time and referred to a select committee consisting of Messrs. Garver, Buckles, and Brugh.

No. 221. A bill to amend an act entitled "an act to incorporate the Ladies' Sigourney Library at Logansport," approved December 27, 1848.

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 237. A joint resolution on the subject of the compromise measures passed at the last session of Congress.

Was read a second time.

Mr. Niblack moved to refer the joint resolution to the committee on Federal Relations.

Mr. Ellis moved to lay the joint resolution on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Dawson, Day, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, Garver, Hamrick, Harvey, Holloway, Hunt, Knowlton, Marshall, McCarty, Mickle, Milliken, Montgomery, Odell, Porter, Reid, Teegarden, and Winstandley—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, English, Hanna, Henton, Kinnard, Miller, Niblack, Sleeth, Turman, Walker, and Woods—16.

So the joint resolution was laid on the table.

Mr. Winstandley moved that there be a call of the Senate;

Which was not ordered.

On motion by Mr. Dunn,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The following message from the House of Representatives was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That this House will, the Senate concurring therein, adjourn *sine die* on February the tenth inst.

In which the concurrence of the Senate is respectfully requested.

Which was read, when

Mr. Eddy moved to lay the resolution on the table.

Which motion prevailed.

The following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 12. An act to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial.

No. 74. An act in relation to sales of land forfeited to the State by borrowers of College and other Funds.

No. 159. An act for the relief of George Coit.

No. 163. An act to incorporate the Pittsborough and Crawfordsville Plank Road Company.

No. 166. An act to reduce the fees of the Clerk of the Probate Court of Knox county, and to amend section 44, of chapter 39, of the Revised Statutes of 1843, as far as it relates to the county of Knox.

No. 175. An act authorizing John Heiney to build a milldam across the Salamoniam river.

No. 244. An act to locate a State road in the county of War-rick.

No. 248. An act to extend the provisions of an act therein named to a school district in the county of Fayette.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 12, 74, 159, 166, 175, and 248, contained in the preceding message were severally read a first time and passed to a second reading.

No. 163. A bill contained in the preceding message.

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and on motion,

Referred to Senators Allen, Holloway, Harvey, Hamrick, and Teegarden.

No. 244. A bill contained in the preceding message.

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and referred to Senators Graham, Defrees, and Marshall.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the House have passed the following engrossed bill of the Senate with four amendments:

No. 79. An act to authorize a company to construct the Manchester and Elizabethtown turnpike.

In which amendments the concurrence of the Senate is respectfully requested.

Which amendments were concurred in by the Senate.

Mr. Hanna submitted the following resolution:

WHEREAS, On Thursday the 23d inst., the joint resolution authorizing the State Librarian to subscribe for, and bind for safe keeping, one copy of each newspaper printed in the State, being under discussion, the reporter of the Daily State Journal, among other things, reported Mr. Hanna, of Clay, as having used the following language, to-wit: "He spoke of editors as the most corrupt class of functionaries," which was duly published on the next morning in said paper; and

WHEREAS, The said Hanna, immediately on the appearance of said paper, addressed the following explanation to the editor of said paper, which he has refused to publish, to-wit:

SENATE CHAMBER, January 25, 1851.

EDITOR JOURNAL:

SIR—In your paper of the 23d inst., your reporter makes me say that "editors are the most corrupt class of functionaries." I did not so assume nor speak. The position I took was, that we could not expect to derive a correct history of our public men through the medium of newspapers, for the reason that editors are often driven, in the heat of party excitement, to write and publish things as true, in reference to their political opponents, which, in their cooler moments even they would admit were unjust, if not absolutely false. But I did not say nor intimate that this thing was done corruptly.

Indeed, your reporter does not touch the principal point which I made. It was, that we would, by the adoption of this proposition, incur an expense of from three to five hundred dollars per annum, for an incongruous mass of matter which, in general, was not to be relied upon as correct history of men, for reasons above given.

J. McLAIN HANNA.

AND WHEREAS, The editors of this city, having reporters upon this floor by permission of the Senate; therefore,

Be it resolved, That such permission be withdrawn from the editor of the Journal until after he shall give assurances that the ex-

planations of Senators, who conceive themselves to be incorrectly reported in his paper, shall be speedily published in such paper, if couched in courteous language.

Mr. Milliken moved to refer the resolution to a select committee; Which was decided in the negative.
The question being on the adoption of the resolution, It was decided in the negative.

Mr. Graham introduced the following bill:

No. 183. A bill declaring a part of Poison creek, in Posey county, a public highway;

Which was read a first time and,

On motion by Mr. Graham,

The rules were suspended, the bill read a second time and ordered to be engrossed.

Mr. Ellis, on leave, made the following report:

MR. PRESIDENT:

The committee on Corporations, to whom had been referred Senate bill No. 155, have instructed me to report the same to the Senate and recommend its passage.

No. 155. A bill to amend an act entitled "an act to incorporate the Wayne County Turnpike Company," approved December 5th, 1848.

Which was concurred in, and the bill ordered to be engrossed.
Also, Mr. Ellis submitted the following report:

MR. PRESIDENT:

The committee on Corporations, to whom were referred Senate bill No. 123, have instructed me to report the same to the Senate and recommend its passage.

No. 123. A bill to incorporate the New Trenton and Southgate Bridge and Road Company.

Which was concurred in, and the bill ordered to be engrossed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof, to-wit:

No. 17. An act to repeal an act therein named.

No. 33. An act to authorize County Auditors to appoint deputies:

No. 50. An act to repeal an act entitled "an act to incorporate the LaGrange Phalanx," approved January 13th, 1845.

No. 52. An act to amend an act regulating the jurisdiction and duties of Justices of the Peace in the county of Dearborn.

No. 56. An act to authorize the sale of school land in Perry county.

Which I am directed to bring to the Senate for for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

On motion by Mr. Mickel,

The Senate went into committee of the whole on bill No. 40, Mr. Mickel in the chair.

After having spent some time in consideration of the bill, the committee rose and reported that they had made progress, and asked leave to sit again.

On motion by Mr. Eddy,

The Senate agreed to go into committee of the whole on bill No. 40, to-morrow morning at 10 o'clock.

On motion by Mr. Holloway,

The Senate adjourned.

TUESDAY MORNING, January 28th, 1851.

The Senate met.

Reading the Journal dispensed with.

The President laid before the Senate the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE, }
January 27th, 1851. }

HON. JAMES H. LANE,

President of the Senate—Sir:—I am in receipt of the following resolution of the Senate, to-wit:

Resolved, That the Auditor of State be requested to lay before the Senate his reasons for refusing to audit the account of Austin H. Brown for printing done for the Convention.

To which I have the honor of submitting the following reply. For a full understanding of the case it is proper to examine the law providing for the election of a State printer:

By an act approved February 16th, 1839, page 46, laws of 1839, it was provided that each House of the General Assembly shall choose, by ballot, a public printer for their respective Houses, to whom was assigned certain portions of the public printing, and it was further provided that the Secretary of State shall superintend *all* printing done for the State, and in procuring the State printing shall make the amount as near equal as can be between the Senate and House printer. This arrangement was found to be inconvenient, and accordingly an act was passed, approved January 21st, 1841, page 141, of general laws of that year, providing that the two Houses of the General Assembly, shall choose, by joint ballot, a public printer, to serve for three years, &c.

Section 3 of this act reads as follows:

SEC. 3. All printing done on account of the State of Indiana shall be subject to the provisions of this act.

The revised act of 1843, article vi., page 169, is almost a transcript of the act of 1841. Sections 61 to 65 are as follows:

SEC. 61. There shall be elected, tri-ennially, counting from the month of January, 1841, by the General Assembly, on joint ballot, a State printer, who shall serve for three years from and after the first day of August next, after his election, and such printer shall, within twenty days after his said election, enter into bond, with sufficient security, to the satisfaction of the Secretary and Treasurer of State, and Auditor of public accounts, with condition for the prompt, accurate, and workmanlike execution of the *public printing*, and the faithful performance of all the duties required of him by law.

SEC. 62. In case of any inconvenient delay in the delivery of the work required by this act, or that may be required by either House, the Auditor, Treasurer, and Secretary of State shall be authorized to employ any other person to execute any portion of the work herein provided for, and charge the excess, if there be any, to the account of such printer, guilty of such negligence and delay.

SEC. 63. The prices to be paid to such public printer are hereby established as follows:

For composition, per thousand ems, plain matter, forty-five cents; figure work, per thousand ems, sixty-five cents; rule and figure work, per thousand ems, eighty cents; press work, per token, common forms, forty-five cents; broad-sides, per token, sixty cents; folding reports and bills, per thousand copies, on each signature, (distinct tables to be considered as signatures) twelve and a half cents; stitching reports and bills, per hundred copies, twenty cents.

SEC. 64. All public printing done for, or on account of the State shall be subject to the provisions of the two last preceding sections of this article.

SEC. 65. The Secretary of State shall superintend *all the print-*

ing done for the State, and see that the same is well executed; and shall measure and estimate the same, and certify, under his hand, and the seal of his office, the amount, and kind of work done, together with the cost, which certificate shall authorize the Auditor of public accounts to audit the same, and the Treasurer shall pay the amount out of any moneys of the State in his hands not otherwise appropriated.

Under this law, Jacob P. Chapman, in January, 1850, was elected State printer for the term of three years, from the first of August, 1850, and in compliance with the law gave a bond to the State, of which the following is a copy:

Know all men by these presents, That I, Jacob P. Chapman, as principal, and Joseph A. Wright, J. B. McChesney, Adam Knodle, R. L. Browning, Charles Mayer, Thomas D. Walpole, John I. Morrison, John Law, Nathaniel Bolton, and George A. Chapman, as securities, are held, and firmly bound, by these presents, unto the State of Indiana, in the penal sum of ten thousand dollars, for the payment of which we bind ourselves, our heirs, executors, and administrators firmly by these presents, signed and sealed this fifth day of January, A. D., 1850.

Whereas, The said Jacob P. Chapman was, on the 3d day of January instant, by a joint vote of the two Houses of the General Assembly, elected public printer of the State of Indiana, for the term of three years from the first day of August next.

Now the condition of the foregoing obligation is such that if the said Jacob P. Chapman shall, in all respects, according to law, faithfully discharge his duty as such public printer, then this obligation to be void, else to remain in full force and effect.

J. P. CHAPMAN,	[SEAL]
JOSEPH A. WRIGHT,	[SEAL]
J. B. MCCHESENEY,	[SEAL]
ADAM KNODLE,	[SEAL]
R. L. BROWNING,	[SEAL]
CHARLES MAYER,	[SEAL]
THOS. D. WALPOLE,	[SEAL]
JOHN I. MORRISON,	[SEAL]
JOHN LAW,	[SEAL]
NATHAN'L BOLTON,	[SEAL]
GEO. A. CHAPMAN,	[SEAL]

Accepted and approved by the undersigned, this 5th day of January, 1850.

CHARLES H. TEST, *Secretary of State*.
SAMUEL HANNAH, *Treasurer*.
D. MAGUIRE, *Auditor*.

It will be seen, from an examination of these several statutes, that the same idea runs through all of them, that the public printer shall do all the public printing for the State, and this public printing

shall all be superintended by the Secretary of State; be measured, estimated, and certified to by him.

There is no exception made in the law, the contract is binding on both sides; on the one hand, the State pledging to the printer all the public printing at stipulated prices, which she has no power to change during the term; and on the other hand, the printer binding himself under a penalty of ten thousand dollars to execute the work. His contract is of precisely a similar character with that of the lessee of the State Prison. Both are elected or designated by a vote of the Legislature, but neither is commissioned or takes an oath of office. Their relations with the State are simply that of contractor.

The contract thus being perfected, the State Printer held himself in readiness, on the first day of August, 1850, and thereafter, to execute the public printing; and the question here arises, what is the public printing? The answer is manifestly this: all printing for which the State is bound to make payment, and for which she does make payment, out of the Treasury of the State. If she may deprive the public printer of one branch of printing, so may she of all, and thus fritter away his rights entirely.

A case of this kind is familiar to most of the members of the Senate, in which Osborn & Chamberlain, printers to the House of Representatives, were deprived of their contract, and compelled to resort to the courts of the State for remuneration. That court, an eminent jurist, Judge Morrison, presiding, after mature examination, decided that Osborn & Chamberlain were not officers of the State, but contractors with the State, and as such entitled to the benefits of their contract.

This view of the case is further recognized by the Revised Statutes of 1843, section 59, page 168, as follows:

SEC. 59. The Secretary and Treasurer of State, and Auditor of public accounts, or a majority of them, are hereby required annually, sixty days before the first day of each and every General Assembly, to close a contract or contracts with some person or persons, for furnishing the necessary firewood or other fuel, and stationery for the use of both houses of the General Assembly, and shall enter into bonds, as in case of contracts for printing, &c.

But was the printing of the Constitutional Convention an exception to the general rule? The people of the State, at the ballot box, expressed the opinion that such a convention was necessary, and the Legislature of the State enacted a law providing for its being held. Without such act of the Legislature it could not and would not have been held; for although in the case of Rhode Island it was strenuously contended by many, and by the undersigned also, that the people might at any time assemble to reorganize their State Government, it has been solemnly adjudged by the Supreme Court of the United States that they have no such powers. The Convention, then, was called in conformity to law; its powers and duties were

specially pointed out, and these it could not transcend. It was authorized to elect a President and other officers necessary for its organization, but was nowhere authorized by any provision of law, express or implied, to dispense with the services of the State Printer and elect a printer of their own. The powers of the Convention were extremely circumscribed. It could not, of itself, abrogate one tittle or one word of the Constitution and laws of the State, or annul any of her solemn contracts. It had no power to destroy an existing order of things, or enact a new; but its action was simply advisory, recommendatory. In the language of the law, they met for the purpose of considering the Constitution of this State, and making such amendments to, alterations of, and changes in the same as they may deem proper. But these amendments and changes are of no binding force whatever, more than the blank paper upon which they are written, until submitted to a vote of the people, and by them confirmed. Even when this is done, not a contract of the State can be touched, not an obligation of the State released. The higher law of our National Constitution prohibits the State from passing any *ex post facto* law, or law impairing the obligation of contracts. This law is sacred, and no man will contend that it may be violated with impunity. The State will not be permitted, while the principles of law and justice are recognized among men, at her own option to enforce a contract, or to annul it; to take from one man the benefits of such contract and bestow them upon another.

The Convention elected a printer of its own, required him to give bond to the President of the Convention, and gave him the work. How then was he to be paid? The Auditor of State had no power to pay any printer from the State Treasury but the State Printer, although the printing which had been performed was unquestionably State printing.

He could not even pay the State Printer unless the Secretary of State had superintended the printing, measured, estimated and certified to it; and none of these things had been done.

The Revised Statutes, page 239, provide that "the expenses of all printing done by the State shall be chargeable to and paid out of the general fund," and over this fund the Convention had no control.

The conclusions, then, of the undersigned were:

1st. That the Convention printing was public printing;

2d. That the State Printer alone was authorised to do such printing;

3d. That the printing had been done by a person unknown to the laws of the State, and in violation of the solemn contract of the State;

4th. That as a custodian of the public funds, there was no law to authorize him, and it was not his duty, to audit the claim of Austin H. Brown.

While such were, and are, his opinions, he deems it proper to add,

that should the Legislature authorize him to audit the claim, he will take pleasure in doing so in such manner as they may direct.

All of which is respectfully submitted.

E. W. H. ELLIS,
Auditor of State.

Mr. Evans moved to lay the communication on the table and print 100 copies;

Which motion did not prevail;

When,

On motion by Mr. Dunn,

The communication was referred to the select committee on that subject.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Milliken;

A petition of Amos Reese and others, in relation to school land in Dearborn county;

Which was referred to to the committee on Education.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

No. 171. An act legalizing the proceedings of a certain Plank Road Company;

Without amendment.

No. 102. An act to locate a State road on the line dividing Bartholomew and Decatur counties.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bills thereof, to-wit:

No. 68. An act to repeal an act therein named, so far as the same relates to the counties of Boone, Lawrence and Martin.

No. 82. An act to amend section thirteen, of an act to increase and extend the benefit of Common Schools in the county of Noble, and for other purposes.

No. 90. An act to enable the qualified voters of school district No. 7, in township 36, north of range three, in Laporte county, to levy a tax in said district for the purpose of building a school house.

REPORTS FROM STANDING COMMITTEES.

By Mr. Dunn;

MR. PRESIDENT:

The committee on the Judiciary to whom was referred Senate bill No. 112, have had the same under consideration and directed me to report the same back to the Senate with an amendment, and to recommend that said bill, so amended, be passed—which amendment is as follows, to-wit:

Insert in the 19th line after the word "prosperity," as follows, to-wit:—"Or shall wilfully and maliciously burn, or attempt to burn any stack or stacks, rick or ricks, or pen of hay, straw, fodder, stalk corn, or unthreshed grain, or any pen or pile of threshed grain, or corn in the ear;"

Which was concurred in, the amendment adopted and the bill ordered to be engrossed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the Senate No. 88, an act to repeal sections 8 and 9, of article 2, chapter 31, of the Revised Statutes of 1843,

SEC. 8. Authorizing the maker, drawer, or obligor of notes, bills, bonds, &c., to set up and show any legal or equitable defence to an action on such notes, bills, bonds, &c., which he may have had against the payee, drawee, or obligee, before notice of the assignment thereof by such payee, drawee, or obligee, which he might have set up and shown, had such action been brought in the name of the original payee.

SEC. 9. Authorizing the maker, drawer, or obligor to set up and show any just matter of payment, set off, or other defence in his favor, as against the plaintiff in such action, and also all just matters of payment, set off, or other defence which he had, as against any

assignor before notice of the payment, and which he might have set up and shown, had an action been brought against him on such note, bill, bond, or other instrument by such assignor,

Have had the same under consideration, and directed me to report it back for the action of the Senate without recommendation, and ask to be discharged from the further consideration of the subject.

Mr. Buckles moved to lay the bill on the table.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Eddy, English, Evans, Garver, Goodman, Hamrick, Hanna, Hardin, Henton, Hunt, Kinnard, Knowlton, Logan, McCarty, Mickle, Miller, Montgomery Niblack, Odell, Reid, Sleeth, Walker, and Wood—33.

Those who voted in the negative were,

Messrs. Cravens, Dunn, Ellis, Graham, Harvey, Herod, Holloway, James, Milliken, Porter, Teegarden, and Winstandley—12.

So the motion prevailed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the House No. 140, entitled "an act to legalize certain acts of the Henry County Turnpike Company," and for other purposes, have had the same under consideration, and have directed me to report the bill back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 153, entitled a bill to incorporate the Evansville Hotel Company, have had the same under consideration, and have directed me to report the bill back to the Senate and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred a petition and remonstrance in relation to a "law for the relief of certain land owners within the corporate limits of Rising Sun," in the county of Ohio, have had the same under consideration, and have instructed me to report them back to the Senate with the recommendation that no legislation be had upon the subject of the petition, and that the said petition and remonstrance be laid upon the table.

Which report was concurred in.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 126, have had the same under consideration, and have instructed me to report it back with the recommendation that it be re-committed to the committee on the Judiciary.

No. 126. A bill to amend an act entitled an act to incorporate the Rushville and Manchester Railroad Company, approved January 21, 1850.

The hour having arrived, the Senate went into committee of the whole on bill No. 40, Mr. Holloway in the chair.

The committee of the whole, having spent some time in the consideration of the bill, arose and reported progress, and asked leave to sit again.

The following message was received from his Excellency the Governor, by his private secretary, Mr. Noel:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 9. An act authorizing the Probate Judge of Hamilton county to appoint an administrator on the estate of John S. Massey.

No. 43. An act relative to the Jeffersonville Association.

No. 48. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana.

No. 57. An act to vacate the streets and alleys in the town of Fairview, Montgomery county.

No. 62. An act to amend section 29 of the act to incorporate the Fort Wayne and Columbia Plank Road Company.

No. 105. An act to change the time of holding the Probate Courts in the county of Vermillion.

On motion,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

ORDERS OF THE DAY.

Senate Bills on third reading.

No. 119. A bill to incorporate the Goshen and Plymouth Plank Road Company.

Was read a third time and passed.

No. 120. A bill to incorporate the Commercial Railroad Company.

Was read a third time and passed.

No. 123. A bill to incorporate the New Trenton and Southgate Bridge and Road Company.

Was read a third time and passed.

No. 124. A bill to amend the act to incorporate the Brookville and Connersville Turnpike Company.

Was read a third time and passed.

No. 137. A bill to relocate a State road in DeKalb county.

Was read a third time and passed.

No. 143. A bill to incorporate a Gas Light Company in the city of Madison.

Was read a third time and passed.

No. 144. A bill to amend an act entitled an act to incorporate the Connersville and Brownsville Turnpike Company, approved 16th January, 1849.

Was read a third time and passed.

No. 155. A bill to amend an act entitled "an act to incorporate the Wayne County Turnpike Company," approved Dec. 5, 1848.

Was read a third time and passed.

No. 160. A bill to incorporate the Anderson, Alexandria and Jonesborough Plank Road Company;

Was read a third time and passed.

No. 164. A bill to incorporate the Indiana Fire and Marine Insurance Company.

Was read a third time, when,

Mr. Dunn moved to recommit the bill with the following instructions:

To amend by striking out that part of the bill which provides that stockholders shall be individually liable to the extent of their interest in said company.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Cravens, Dole, Dunn, Ellis, Graham, Harvey, Herod, Knowlton, Marshall, Odell, and Porter—13.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Buckles, Dawson, Day, Delavan, Eddy, English, Evans, Garver, Goodman, Hanna, Hardin, Henton, Hunt, Kinnard, Logan, McCarty, Miller, Mickle, Milliken, Niblack, Reid, Sleeth, Walker, and Woods—27.

So the bill was not recommitted.

On motion by Mr. McCarty,

The vote taken on recommitting was reconsidered.

The question again recurring on recommitting the bill,

When,

On motion by Mr. Reid,

It was laid on the table.

No. 176. A bill declaring certain laws in force in the counties of DeKalb, Noble, and Steuben.

Was read a third time and passed.

No. 183. A bill declaring a part of Poison Creek, in Perry county, a public highway.

Was read a third time and passed.

BILLS OF THE HOUSE ON THIRD READING.

No. 15. A bill to incorporate the Laporte male and female seminary.

Was read a third time and passed.

A bill fixing the salary of the Auditor of the county of Owen.

Was read a third time and passed.

No. 106. A bill to amend an act entitled an act to incorporate the Greensburg and Brookville Turnpike Company, approved January 15th, 1849.

Was read a third time and passed.

No. 127. A bill to amend an act to incorporate the Madison

County Hydraulic Manufacturing Company, approved January 15, 1849;

Was read a third time and passed.

No. 132. A bill to vacate part of the State road leading from Harrison to Indianapolis.

Was read a third time and passed.

No. 164. An act relating to the recording deeds in Laporte county.

Was read a third time and passed.

No. 165. An act to amend chapter 7, article 1, section 2, of the Revised Code.

Was read a third time,

When,

Mr. Dawson moved to recommit the bill to the Judiciary committee with the following instructions:

Strike out all that part making the contract void, and make it a penal offense, indictable in the circuit court.

Which was adopted.

Mr. English offered the following instructions:

Amend so as to extend the provisions of this bill to the sheriff, and other county officers.

Which was adopted.

Mr. Niblack offered the following instructions:

Amend by providing said County Commissioners shall not become sureties of those who do become contractors in such cases.

Which was adopted and the bill so referred.

No. 170. A bill declaring a certain county road therein named a State road;

Was read a third time and passed.

No. 202. A bill to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall;

Was read a third time and passed.

No. 206. A bill to incorporate the town of Hope, in Bartholomew county;

Was read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 174. A bill relative to the Western Plank Road Company;

Was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 175. A bill to amend an act entitled "an act to incorporate the Lafayette Plank Road Company," approved January 3, 1849.

Was read a second time and ordered to be engrossed.

No. 177. A bill authorizing the Western Plank Road Company to issue and sell bonds;

Was read a second time and ordered to be engrossed.

No. 178. A bill to prevent the consolidation of indictments in certain cases in Dearborn county;

Was read a second time and ordered to be engrossed.

HOUSE BILLS ON SECOND READING.

No. 12. A bill to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial;

Was read a second time, and referred to the Judiciary committee.

No. 166. A bill to reduce the fees of the Clerk of the Probate Court of Knox county, and to amend section 44, of chapter 39, of the Revised Statutes of 1843, as far as it relates to the county of Knox;

Which was read a second time, when

Mr. Ellis moved to refer the bill, with the following instructions:

To inquire into the expediency of making the provisions of that portion of the bill that relates to making up complete records general;

Which was adopted,

And the bill so referred.

No. 175. A bill authorizing John Henry to build a mill dam across the Salomonia river;

Was read a second time and ordered to a third reading.

No. 248. A bill to extend the provisions of an act therein named to a school district in the county of Fayette;

Was read a second time and ordered to a third reading.

On motion by Mr. Marshall,

No. 76. A bill of the Senate to amend the charter of the Madison Insurance Company.

Was taken from the table,

When,

Mr. Marshall moved to lay the pending amendments on the table.

Which motion prevailed.

Mr. Marshall moved to strike out the 2nd section of the bill,

Which was decided in the affirmative.

The question being on the engrossment of the bill,

It was decided in the affirmative.

REPORTS FROM SELECT COMMITTEES.

By Mr. Harvey;

MR. PRESIDENT:

The select committee to whom was referred the petition of William Johnson and others, praying for the passage of an act to incor-

porate a Railroad Company to construct a railroad from Belleville to the Terre Haute and Richmond Railroad, in Hendricks county, have considered the same and directed me to report the accompanying bill and recommend its passage, and said committee ask to be discharged from the further consideration of the subject.

No. 184. A bill to incorporate the Belleville Branch Railroad Company;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Ellis;

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 61, relative to the leveeing of the Wabash river in Shaker prairie, have instructed me to report the same to the Senate and recommend its passage.

Which was concurred in and the bill ordered to a third reading.
By Mr. Buckles;

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 53, a bill to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to the county of Miami, have had the same under consideration, and directed me to report the following amendment, and when said amendment is adopted, recommend the passage of the bill:

Amend by adding to the first section the following proviso:

Provided, however, That the provisions of this act, and the repealing clauses therein contained, shall apply to and affect the county of Miami alone.

Which was concurred in, the amendment adopted, the rules suspended, the bill read a third time and passed.

Mr. Henton moved to amend the title as follows: after the figures "1843," add, "so far as relates to the county of Miami."

Which was adopted.

By Mr. Hanna;

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 195, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

No. 195. A bill declaring Flat creek, in Pike and Dubois counties, a public highway.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Niblack;

MR. PRESIDENT:

The select committee, to whom was referred the petitions of sundry citizens of this State, praying the location of a State road from Dover Hill, in Martin county, to Bloomington, in Monroe county, have had the subject under consideration, and have instructed me to report the following bill and respectfully recommend its passage:

No. 185. A bill to locate a State road from Dover Hill, in Martin county, to Bloomington, in Monroe county.

Which was read a first time and ordered to a second reading.
By Mr. Graham;

MR. PRESIDENT:

The select committee, to which was referred bill of the House, No. 244, "to locate a State road in the county of Warrick," have had the same under consideration, and have made amendments thereto, and if adopted, recommend its passage.

Amend by striking out the 2d and 3d sections, and insert in lieu thereof the following sections:

SEC. 2. The said commissioners, or a majority of them, after being duly sworn to perform their duties faithfully, (which oath they are hereby required to take,) shall proceed, on or before the first day of September, 1851, to perform the duties required by the first section of this act.

SEC. 3. The said commissioners, after having completed said survey and location, shall return to the auditor of said county of Warrick a report of the survey made and marked by them, and it is hereby made the duty of the auditor of said county to have the same recorded immediately; and the said county board shall order to be paid to the said commissioners, for their services, such compensation as shall to them seem just and reasonable.

SEC. 4. The board doing county business shall lay off said road

into road districts, as they may think the public good to require; and for each district, if not attached to districts already formed, there shall be elected or appointed a supervisor, according to the laws in force for electing or appointing supervisors.

Sec. 5. It shall be the duty of each supervisor in said districts to open said road as soon as practicable, by the labor of his district, according to the laws in force for working roads.

Sec. 6. This act to be in force from and after its passage.

Which report was concurred in, the amendments adopted, the rules suspended, the bill read a third time and passed.

By Mr. Miller;

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate, No. 86, being an act to amend an act entitled an act changing the mode of doing county business in the county of Crawford, approved January the 18th, 1850, have had the same under consideration, and requested me to report the same back to the Senate and ask that it be laid on the table.

Which was concurred in.

By Mr. Mickle;

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 179, have directed me to report the same back to the Senate and recommend its passage.

No. 179. A bill in relation to a certain street and road therein named.

Which was concurred in, the rules suspended, the bill read a third time and passed.

On motion by Mr. Dunn,

No. 75. A bill to amend an act entitled "an act to incorporate the Bedford Insurance Company," approved February 8th, 1836;

Was taken from the table;

When

Mr. Dunn offered the following amendments:

1st. Strike out all of the 2d section after the word "and" in the 23d line.

2d. Also, strike out all of the 4th section from and including the word "and" in the first line, to and including the word "and" in the fourth line in said section, and insert in lieu thereof the following:

3d. *Be it further enacted*, That the name of the said Bedford Insurance Company be, and the same is hereby changed to that of the

White River Valley Insurance Company, and by such name it shall hereafter be known and designated, and have all the rights, privileges, powers, franchises, and immunities granted by that act and the act to which this is amendatory, and by such name.

Which amendments were adopted and the bill ordered to be engrossed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bill of the Senate No. 171, with the engrossed, and find it correctly enrolled.

Mr. Mickle submitted the following resolution:

Resolved, That the Door-keeper be instructed to deliver to the House one hundred copies of the apportionment bill printed for the use of the Senate.

Which was adopted.

The President laid before the Senate the following communication from the Superintendent of the Asylum of the Deaf and Dumb:

INSTITUTION FOR THE DEAF AND DUMB,
INDIANAPOLIS, January 28, 1851. }

HON. JAMES H. LANE,

President of the Senate:

MY DEAR SIR—At the request of the House of Representatives, an exhibition of the pupils of this Institution will take place to-morrow (Wednesday) evening, at half past 6 o'clock, in the Masonic Hall. Yourself and the members of the honorable body over which you preside are very respectfully invited to attend.

Each of the honorable members of the Senate will be supplied with a ticket of admission. An additional number will be placed in the hands of the President for the use of such Senators as may have their families in the city, or who may wish to bring with them any of their constituents from a distance, now visiting the capital.

With sentiments of the highest regard,

Your obedient servant,

JAMES S. BROWN.

BILLS INTRODUCED.

By Mr. Holloway;
No. 186. A joint resolution in regard to the World's Fair;

Which was read a first time and,

On motion,

The rules were suspended, the joint resolution read a second time and,

On motion,

The rules were further suspended, the joint resolution read a third time and passed.

By Mr. Ellis;

No. 187. A bill relative to the Borough of Vincennes;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Knowlton;

No. 188. A bill to amend an act entitled an act to incorporate the Moors Hill and Aurora Turnpike Company, approved February 15th, 1848;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Knowlton, Woods, and Milliken.

On motion by Mr. Milliken,

No. 172. A bill to apportion Senators and Representatives for the next five years,

Was taken from the table and placed in the files of the Senate.

By Mr. Reid;

No. 189. A bill for the relief of Barbra Elder;

Which was read a first time, the rules suspended, the bill read a second time and referred to the committee on the Judiciary.

By Mr. Brugh;

No. 190. A bill to amend the several acts in regard to lands mortgaged to the different trust funds in the State;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Brugh, Buckles, and Reid.

By Mr. Dole;

No. 191. A bill to amend an act entitled an act to incorporate the town of Clinton, in Vermillion county, approved February 14, 1848;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. English;

No. 192. A bill transferring the duties of Agent of the Surplus Revenue Fund of Scott county to the Auditor of said county;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Odell;

No. 193. A bill to fix a tax on the museums in Lafayette.

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

Mr. Buckles presented a memorial from Messrs. Ellis & Spann.

Which was,

On motion by Mr. Ellis,

Referred to the select committee upon that subject.

Mr. Ellis presented the petition of 800 citizens of Wisconsin for a railroad charter around Lake Michigan, and against monopoly.

Which was,

On motion by Mr. Ellis,

Referred to the committee of the whole Senate.

By Mr. Dawson;

No. 194. A bill legalizing an order for the publication of the delinquent list for the year 1850, in DeKalb county.

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

Mr. Marshall introduced three memorials from the citizens of Jefferson county on the subject of temperance.

Which was referred to the committee upon that subject.

By Mr. English;

No. 195. A bill in relation to streets and alleys in the town of Lexington, in Scott county.

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Kinnard;

No. 196. A bill to amend an act entitled an act to incorporate the west Delphi Bridge Company.

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Athon;

No. 197. A bill to repeal an act therein named.

Which was read a first time, the rules suspended, the bill read a

second time, the rules further suspended, the bill read a third time and passed.

Mr. Buckles moved that the Senate adjourn.

Which was decided in the negative.

By Mr. Hunt;

No. 198. A bill to incorporate the town of Pendleton.

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

Mr. Ellis introduced the communication of George Calhoun on the subject of Swamp Lands.

Which was referred to the committee on Swamp Lands.

On motion,

The Senate adjourned.

WEDNESDAY MORNING, January 29, 1851.

The Senate met.

On motion,

The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Winstandley;

A petition from citizens of Floyd county upon the subject of colonization;

Which was referred to the committee on Finance.

By Mr. Niblack;

A remonstrance from citizens of Martin county upon the removal of the county seat of said county;

Which was referred to Senators to whom the petitions on the same subject were referred.

By Mr. Woods;

A memorial on the subject of temperance;

Which was referred to Senators Woods, Logan, Marshall, Knowlton and Milliken.

By Mr. Reid;

A petition from the Anti Slavery Friends in relation to the Black laws;

Which,

On motion by Mr. Reid,

Was referred to a select committee consisting of Messrs. Reid, Evans and Holloway.

By Mr. Reid;

A communication of Richard Thomas in reference to school moneys;

Which,

On motion by Mr. Reid,

Was referred to the committee on Education.

REPORTS FROM STANDING COMMITTEES.

By Mr. Reid;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate 189, for the relief of Barbra Elder, in order to file her bill of divorce in the Union Circuit Court, have had the same under consideration and request me to report the same back and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred House bill No. 11, a bill requiring the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

By Mr. Reid;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill of the Senate No. 135, being a bill or act to amend the law relating to execution of deeds by Probate Courts, have had the same under consideration and request me to report the same back to the Senate and to recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Marshall;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill No. 182 of the Senate, have had that subject under consideration and have directed me to report it back to the Senate without amendment and recommend its passage.

No. 182. A bill to organize a Court of Common Pleas in the county of Jefferson;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred house bill No. 88, an act to amend sections 302, 303 and 304 of article 13, chapter 47, Revised Statutes of 1843; also section 2 of chapter 61 on page 1030, 1031, 1032 of Revised Statutes of 1843 and for other purposes, have had the same under consideration and instructed me to report the same back to the Senate without amendment and recommend its passage.

Which was concurred in and the bill ordered to a third reading.
By Mr. Marshall;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 132, have had that subject under consideration, and have directed me to report the same back to the Senate without amendment and recommend its passage.

No. 132. A bill for the relief of the administrator of estate of Albert Monson, late of St. Joseph county, deceased;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Logan;

MR. PRESIDENT:

The committee on Judiciary, to whom was referred bill (158) one hundred and fifty-eight of the Senate, a bill to prevent clerks and sheriffs from purchasing judgments and decrees in the courts to which they act as clerk and sheriff, have had the same under consideration, and instructed me to report the same back to the Senate without amendment and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the House No. 24, "a bill to amend the charter of the Evansville and Illinois Railroad Company," have had the same under consideration, and directed me to report it back for the action of the Senate, and ask to be discharged from the further consideration of the subject;

Which was concurred in, and the bill ordered to a third reading.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the House No. 97, "an act relative to the practice of law," have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage;

Which was concurred in, and the bill ordered to a third reading.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the House No. 47, "an act relative to the election and appointment of constables," have had the same under consideration and directed me to report, that in the opinion of your committee, legislation on the subject is inexpedient at this time, the indefinite postponement thereof is therefore respectfully recommended;

Which was concurred in, and the bill indefinitely postponed.
By Mr. Harvey;

MR. PRESIDENT:

The committee on Education to whom was referred House bill No. 66, entitled, "an act for the benefit of common schools in Boone county," have considered the same, and instructed me to report said bill back to the Senate without amendment, and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Reid;

MR. PRESIDENT:

The committee on Education to whom was referred the petition of David Wilkinson, and others of Floyd county, praying for sundry amendments to the school law, have had the same under consideration, and have requested me to report the same back to the Senate, they believing it inexpedient to legislate on the subject at the present time;

Which was concurred in, and the petition laid on the table.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representative to inform the Senate, that the House have passed the following engrossed bills of the Senate, to-wit:

No. 46. A joint resolution upon the subject of lands for school purposes.

No. 92. An act to amend an act entitled an act to regulate the *per diem* allowance for work done on the public highways in the county of Adams, and other counties therein named, approved January 17, 1850.

No. 96. An act to legalize the proceedings of the Alton, Mt. Carmel and New Albany Railroad Company, and for other purposes.

No. 97. An act to repeal an act entitled an act to amend the Statute, providing for the taking a change of venue in criminal cases, approved January 16, 1849, so far as relates to the county of Steuben.

No. 104. An act establishing an additional place of holding an election in Clark county.

No. 115. An act to change the name of the town of Nicklesonville.

No. 118. An act to exempt from taxation the Marine Hospital at Evansville, Indiana.

No. 121. An act in relation to the jurisdiction of justices of the peace in Lawrence county.

No. 125. An act to amend an act entitled, "an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds," approved December 29, 1849.

No. 162. An act to change the next February Term of the Probate court of Hamilton county.

No. 169. An act to annex the town of Belleville in the county of Posey, to the town of Mount Vernon;

Without amendment.

The Senate then resumed the consideration of bill 126;

Which was ordered to be engrossed.

Mr. Reid moved to reconsider the vote taken on the engrossment of bill 126.

Before any vote was taken,

The Senate went into committee of the whole on bill No. 40.

Mr. English in the chair.

After having spent some time in the consideration of the bill, the committee arose, reported the following amendment and asked leave to be discharged:

Amend by striking out all after the word "Terre Coupee" in said section, and insert, "and shall complete the same within three years from the passage this of act;"

Which amendment was adopted by the Senate.

Mr. Dunn submitted the following amendment:

Provided, That nothing in this act contained shall be so construed, as to affect the right of the State to cause the charter of the Buffalo and Mississippi Railroad Company to be declared forfeited, or the western division thereof in consequence of act or acts, or omission or omissions of said company, or the directors thereof, or the commissioners of the western division of the same, done or suffered, whereby the corporate powers, privileges or franchises thereof, have been violated, and thereby ought to be forfeited and surrendered to the State. And it is hereby made the duty of the Governor of the State of Indiana, to cause a scire facias or other proper process, to issue against said company and the commissioners of the western division of the same, from the Circuit court of the county of Marion in said State, to ascertain and determine whether said charter has been forfeited or not, either as to the whole or any part of said road; and said court is hereby given full jurisdiction in the premises, and required on proper application, to cause such process to issue and to hear and determine of the rights of the parties thereto, and to make such judgment or orders thereon as to such court, shall appear appropriate and lawful, and from the judgment or final orders of said court either party shall be allowed an appeal to, or writ of error from the Supreme Court of said State as in ordinary cases, and if it shall so happen that on a final hearing of such cause, that such company has forfeited its charter to the whole or any part of said road, or that said commissioners have so done—in that case such decision of the court shall only operate as to prevent said company, or the commissioners aforesaid, or any other company or companies named in this act, or any of the several acts to which this is amendatory, from constructing any railroad or railroads west of Michigan city to any point or points whatever.

Mr. Eddy moved to lay the ament on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Eddy, Ellis, Evans, Garver, Graham, Hardin, Harvey, Henton, Herod, Holloway, Hunt, Kinnard, Knowlton, Logan, Marshall, Mickle, Porter, Reid, Sleeth, Teegarden and Walker—28.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Cravens, Dunn, English, Goodman, Hamrick, McCarty, Miller, Millikin, Montgomery, Niblack, Odell, Winstandley and Woods—16.

So the amendment was laid on the table.

Mr. Logan offered the following amendment:

Provided, That neither this act nor any part thereof shall be construed so as to admit or enlarge the power or authority of any company of this State to survey, locate, and construct a railroad from Michigan City round the head of lake Michigan to the west line of the State, nor shall the same be so construed as either to limit or impair the rights or authority of any company in this State to construct a railroad from Michigan City to the west line of the State, round the head of said lake in the direction of Chicago, but the same shall remain as they were before the passage of this act.

Mr. Dunn moved to lay the amendment on the table;

Which was decided in the negative.

On motion of Mr. Ellis,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

ORDERS OF THE DAY.

Senate Bills on third reading.

Bill No. 172; A bill to apportion Senators and Representatives for the next five years.

Mr. Buckles offered the following amendment:

Amend the 7th line of the 1st section by striking out the third and fourth words in said line and insert after the word "Delaware" in said line the word "Blackford" and after the word "Randolph" in said line insert the word "and;"

Which was not adopted.

Mr. Buckles moved to recommit the bill.
Mr. Niblack moved the following instructions:

Recommit the bill, with instructions to so apportion the State that, amongst other things, the counties of Daviess and Martin shall have one Senator and one Representative each two years out of five, and one Representative jointly the other three years.

The question being on recommitting the bill,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Buckles, Defrees, Eddy, Ellis, Evans, Garver, Graham, Harvey, Henton, Herod, James, Logan, Marshall, McCarty, Montgomery, Niblack and Teegarden—18.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Brugh, Cravens, Dawson, Day, Delevan, Dunn, English, Goodman, Hamrick, Hanna, Hardin, Holloway, Hunt, Kinnard, Knowlton, Mickle, Miller, Millikin, Odell, Porter, Reid, Sleeth, Turman, Walker, Winstandley and Woods—29.

So the bill was not recommitted.

Mr. Herod offered the following amendment:

The county of Bartholomew shall elect one additional Representative in the years 1851, 1853 and 1855, and the county of Jennings shall elect one additional Representative in the years 1852 and 1854.

The question being on the adoption of the amendment,
The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Buckles, Day, Defrees, Eddy, Ellis, Garver, Harvey, Henton, Herod, Holloway, Knowlton, Marshall, McCarty, Montgomery, Porter and Teegarden—19.

Those who voted in the negative were,

Messrs. Athon, Brugh, Cravens, Dawson, Delevan, Dunn, English, Evans, Goodman, Graham, Hamrick, Hanna, Hunt, James, Kinnard, Logan, Mickle, Miller, Milliken, Niblack, Odell, Reid, Sleeth, Turman, Walker, Winstandley, and Woods—27.

So the amendment was not adopted.

Mr. Alexander, moved to reconsider the vote taken on the amendment proposed by Mr. Buckles.

Mr. Dunn moved to recommit the bill to a committee of one from each Congressional district.

When,

On motion by Mr. Hardin;

The bill and amendments were laid on the table.

No. 75. A bill to amend an act entitled an act to incorporate the Belford Insurance Company, approved February 8th, 1836.

Was read a third time and passed.

When,

Mr. Dunn moved to amend the title of the bill as follows:

And to change the name of said company.

Which amendment was adopted.

No. 76. A bill to amend the charter of the Madison Insurance Company.

Was read a third time and passed.

No. 112. A bill in relation to the commission and punishment of crime.

Was read a third time and passed.

No. 153. A bill to incorporate the Evansville Hotel Company.

Was read a third time and passed.

No. 175. A bill to amend an act entitled an act to incorporate the Lafayette Plank Road Company, approved January 3d, 1849.

Was read a third time and passed.

No. 177. A bill authorizing the Western Plank Road Company to issue and sell bonds.

Was read a third time and passed.

No. 178. A bill to prevent the consolidation of indictments in certain cases in Dearborn county.

Was read a third time and passed.

No. 193. A bill to fix a tax on a museum in Lafayette.

Was read a third time and passed.

HOUSE BILLS.

A bill to amend an act entitled an act relative to the leveeing of the Wabash river on Shaker Prairie, approved January 14th, 1846, and to repeal an act amendatory thereto, approved January 21st, 1850.

Was read a third time and passed.

No. 140. A bill to legalize certain acts of the Henry County Turnpike Company, and for other purposes.

Was read a third time and passed.

No. 248. A bill to extend the provisions of an act therein named to a school district in the county of Fayette.

Was read a third time and passed.

No. 159. An act for the relief of George Coit.

Was read a third time and passed.

No. 175. A bill authorizing John Heiney to build a milldam across the Salamon river.

Was read a third time and passed.

Mr. Reid moved to reconsider the vote taken on ordering bill No. 126 to be engrossed.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Dole, Eddy, Hardin, Herod, Holloway, Hunt, Logan, Miller, Reid, and Teegarden—10.

Those who voted in the negative were,

Messrs. Allen, Athon, Brugh, Buckles, Cravens, Dawson, Delevan, Dunn, Ellis, English, Evans, Garver, Goodman, Graham, Hamrick, Harvey, Henton, Kinnard, Knowlton, Marshall, McCarty, Milliken, Montgomery, Niblack, Odell, Porter, Sleeth, Turman, Walker, Winstandley, and Woods—31.

So the vote was not reconsidered.

SENATE BILLS ON SECOND READING.

No. 285. A bill to locate a State road from Dover Hill, in Martin county, to Bloomington, in Monroe county.

Was read a second time, and ordered to be engrossed.

No. 197. A bill to repeal an act therein named.

Was read a second time and ordered to be engrossed.

No. 74. A bill (of the House) in relation to sales of land forfeited to the State by borrowers of College and other Funds.

Was read a second time and referred to the committee on Education.

Mr. Eddy moved to take from the table

No. 86. A bill authorizing Cyrus Taber and Allen Hamilton to build a dam across the Wabash river in Cass county.

Which motion prevailed, and,

On motion,

Was referred to Senators Eddy, Walker, Henton, Odell and Mickle.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the

Senate that the Speaker has signed the following enrolled bill thereof:
No. 200. A joint resolution on the subject of the Michigan City Harbor;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

On motion,

The Senate adjourned.

THURSDAY MORNING, January 30, 1851.

The Senate met.

On motion,

The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. English;

The petition of sundry citizens of Jackson county, praying for relief for Hezekiah A. Sutton;

Which was referred to Senators English, Harvey and Walker.

By Mr. Miller;

A petition and remonstrance upon the Navigation of Little Blue River;

Which were referred to the Judiciary committee.

By Mr. Defrees;

A petition upon the subject of school lands in LaGrange county;

Which was referred to Senators Defrees, Ellis and James.

By Mr. Garver;

A petition from citizens of Hamilton county upon the subject of liquor;

Which was referred to the committee on temperance.

By Mr. Buckles;

A petition of William Goings, Justice Kettleman, *et al.*, asking an amendment in the penal laws;

Which was referred to the Judiciary committee.

Mr. Dunn presented papers in relation to evidence in the claim of B. G. Cutter;

Which was referred to the committee on claims.

REPORTS FROM STANDING COMMITTEES.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred resolution of the Senate requiring said committee to inquire into the expediency of repealing section four, chapter forty-seven of the Revised Statutes of A. D. 1843, which section provides that "No person shall be held to answer any process issued against him by a Justice of the Peace in a civil matter in any township of such county other than the one where he shall actually reside," except in certain cases, have had the same under consideration, and directed me to report that in the opinion of a majority of your committee legislation upon that subject is inexpedient at this time. The indefinite postponement of the subject matter of said resolution is respectfully recommended and your committee ask to be discharged from the further consideration thereof.

Which report was concurred in.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations to which was referred House bill No. 81, "an act to amend an act entitled an act to incorporate the Fort Wayne and Bluffton Turnpike company, approved January 16th. 1849," have considered the same and instructed me to report the same back without amendment and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

By Mr. Milliken;

MR. PRESIDENT:

The committee on Corporations, to whom bill of the Senate No. 157 was referred, have had the same under consideration and directed me to report it back to the Senate with sundry amendments and upon the adoption of which recommend its passage:

1st. Strike out of the second line of Sec. 12 the words "and exclusive."

2nd. Strike out all the first part of Sec. 19 to the word "any" in the 13th line.

27 S

3d. Amend Sec. 22 by adding the following proviso:

Provided, however, That meat or other articles of marketing shall not be forfeited to the said city unless it be proven that the vender thereof knew when offering for sale or vending marketing that it was a violation of an ordinance of said city.

And provided further, That the owner of any ground which the said city shall drain or fill up shall not be made liable to pay for such draining or filling up over one tenth of the value of the ground so drained or filled up.

4th. Add to the 13th section the following proviso:

Provided, That nothing in this act shall be so construed as to do away the necessity of retailing ardent spirits and showmen procuring county license.

5th. Strike out section 32.

6th. Add after the word "mayor," in section 38, "of a criminal nature."

Which amendments were adopted.

Mr. Harvey moved to amend by striking out all that part of the bill that relates to ordering the Secretary of State to furnish a copy.

Which was adopted;

The rules suspended, the bill read a third time and passed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 161, entitled a bill to incorporate subordinate lodges of Independent Order of Odd Fellows, have had the subject under consideration, and have directed me to report the bill back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

By Mr. Garver;

MR. PRESIDENT:

The committee on Finance, to whom was referred a joint resolution No. 147, entitled a joint resolution for the relief of the lesse of the State Prison, have had that subject under consideration, and have directed me to strike out the first section of said resolution and report in lieu thereof the following bill, and recommend its passage:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the lesse of the State Prison of said State is hereby released from paying for the term of four months.

SEC. 2. This act shall take effect and be in force from and after its passage.

Which was concurred in, and the bill ordered to be engrossed.
By Mr. Woods;

MR. PRESIDENT:

The committee on Education, to whom was referred bill of the House No. 161, authorizing the sale of section 16, in Congressional township twenty-four, north of range twelve east, in Jay and Blackford counties, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.
By Mr. Hardin;

MR. PRESIDENT:

The committee on Education, to whom was referred bill of the House No. 201, in relation to an amendment of the School Law in Vigo county, have instructed me to report the same to the Senate for their action, without amendment, and asked to be discharged from the further consideration thereof.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Teegarden.

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 1, 36, 94, 97, 115, and 142, with the engrossed, and find them correctly enrolled.

REPORTS FROM SELECT COMMITTEES.

By Mr. Brugh;

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 190, a bill to amend the several acts in regard to lands mortgaged to the different trust funds of this State, have had the same under consideration, and directed me to report the same back to the Senate and recommend the same to be recommitted to the Judiciary committee for examination and report.

Which was concurred in and the bill referred to the Judiciary committee.

By Mr. Dawson;

MR. PRESIDENT:

The select committee to whom was referred bill of the Senate No. 152, have had the same under consideration, and have made sundry amendments thereto, and when so amended, recommend its passage.

No. 152. A bill defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes.

First amendment:

SEC. 8. It shall not be necessary for the Treasurer of DeKalb county to attend in the several townships for the purpose of receiving taxes, as heretofore done, unless specially required so to do by the Board of Commissioners of DeKalb county; and if so required, the said Treasurer shall receive, as extra compensation, the sum of two dollars for each day by him spent in attendance as aforesaid.

Second amendment:

SEC. 9. The provisions of this act in all its parts, so far as they relate to the office of the Auditors of the counties hereinbefore named, and to their duties and compensation are hereby also extended to, and embrace the Auditor of Steuben county, and the Board of Commissioners of said Steuben county are hereby required to comply with the provisions of this act respecting the allowance, salary, fees, and per centage of the Auditor of Steuben county in the same manner and to the same extent as by the provisions of this act is required of the Board of Commissioners of the counties of Noble and DeKalb respecting the allowance, salary, fees, and per centage of their respective Auditors.

Third amendment:

Change the number of sections 8 and 9, to sections 10 and 11 respectively.

Which report was concurred in, the amendments adopted, the rules suspended, the bill read a third time and passed.

By Mr. Goodman;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 196, entitled a bill declaring Halls creek, in Dubois county, a public highway, have had the same under consideration, and believe it inexpedient to legislate on the subject, and request me to report it back for the action of the Senate.

Which was concurred in, and the bill laid on the table.

By Mr. Graham;

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 60,

"relative to plank roads," have had the same under consideration, and have made two amendments thereto, upon the adoption of which they recommend its passage.

Amend as follows:

Section —. That the first section of said act approved January 15th, 1849, be, and the same is hereby so amended as to authorize copies of the articles of association to be filed and recorded, according to the provisions of said section, whenever the stock subscribed amounts to six hundred dollars per mile of the proposed road.

Section —. That section thirteen of said act approved January 15, 1849, be, and the same is hereby so amended as to allow the directors of any Plank Road Company which has been or may hereafter be organized under said act, to erect toll gates and exact tolls, pursuant to the provisions of said act, *whenever two consecutive miles of such road shall have been completed.*

Which amendments were concurred in.

Mr. Harvey offered the following amendment.

Strike out from the word "and" in the sixth line of the second section to the word "and" in the eighth line, inclusive;

And insert in lieu thereof, the words "with intent to defraud such Plank Road company;"

Which amendment was adopted;

The rules were suspended, the bill read a third time and passed.

By Mr. Allen;

MR. PRESIDENT:

The Select Committee to whom was referred bill of the Senate No. 170, have had the same under consideration and have made one amendment thereto and upon the adoption of which they recommend its passage.

No. 170. A bill to amend an act entitled an act to incorporate the Crawfordsville and Wabash Railroad Company, approved Jan. 19, 1846, and the act amendatory thereto.

Amend by striking out all after the word "Greencastle" in the 12th line, to the end of the first section.

Which was adopted,

The bill read a third time,

When on motion of Mr. Winstandley,

The bill was laid on the table.

By Mr. Allen;

MR. PRESIDENT:

The Select Committee to whom was referred bill of the House

No. 163, A bill to incorporate the Pittsburgh and Crawfordsville Plank Road Company, have had the same under consideration and have made one amendment thereto, and upon the adoption of which recommend its passage.

Amend the second section by adding the following:

Provided, That the said company shall not be authorized and is hereby prohibited from erecting or establishing any gate within one mile of the corporate limits of said town of Crawfordsville.

Which was concurred in,
The amendments adnpted,
The rules suspended, the bill read a third time and passed.

By Mr. Garver;

MR. PRESIDENT:

The select committee to which was referred bill of the House No. 139, entitled An act to locate a State Road in the counties of Hamilton, Tipton and Howard, have had the same under consideration and directed me to report the same back and recommend its passage.

Which was concurred in,
And the bill ordered to a third reading.

By Mr. Knowlton;

MR. PRESIDENT:

The Select Committee to whom was referred the bill of the Senate No 188, have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying amendment, and after its adoption recommend its passage.

No. 188. A bill to amend an act entitled an act to incorporate the Moor's Hill and Aurora Turnpike company, approved February 15, 1848.

Amend the first section by striking out all after the word "turnpike" in the 12th line, and insert the following: "Provided however, that persons travelling through and paying toll at one or more gates of said turnpike, shall not be subjected to paying toll for crossing said bridge.

Which report was concurred in,
The amendment adopted,

The rules suspended, the bill read a third time and passed.

By Mr. English;

MR. PRESIDENT:

The Select Committee to whom was referred the petition of Hezekiah A. Sutton, of Jackson county, have considered the same and instructed me to report the accompanying bill and recommend its passage; and said committee ask to be discharged from the further consideration thereof.

No. 209. A bill for the relief of Hezekiah A. Sutton, of Jackson county;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

BILLS INTRODUCED.

By Mr. Garver;

No. 199. A bill to amend an act entitled an act to establish a State Road therein named;

Which was read a first time, and,
On motion by Mr. Garver,
The rules were suspended, the bill read a second time, and,
On motion,
The rules were further suspended, and the bill read a third time and passed.

By Mr. Marshall;

No. 200. A bill to amend the charter of the Madison and Brownstown Turnpike company.

Which was read a first time and,
On motion,
The rules were suspended, the bill read a second time, and,
On motion,
The rules were further suspended, and the bill read a third time and passed.

By Mr. Ellis;

No. 201. A bill authorizing a subscription for the Indiana Gazetteer.

Which was read a first time and,
On motion,

The rules were suspended, the bill read a second time, and referred to the committee on the State Library.

By Mr. James;

No. 202. A bill for the benefit of the Mt. Vernon and New Harmony Plank Road Company.

Which was read a first time and,

On motion by Mr. James,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Winstandley;

No. 203. A bill to appropriate money to the government of Liberia, in Africa, to purchase territory for the use and benefit of the colored people of Indiana.

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Finance.

By Mr. Sleeth;

No. 204. A bill to amend sections 148 and 149 of chapter 5, article 13, of the Revised Statutes of 1843.

Was read a first time and passed to a second reading.

By Mr. Brugh;

No. 205. A bill to change the name of Levi Gear to that of Levi Frash.

Which was read a first time, and

On motion,

The rules suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Sleeth;

No. 206. A bill to amend an act entitled "an act to amend the fifteenth chapter of the Revised Statutes," approved January 26, 1847, so far as relates to the county of Shelby.

Which was read a first time and passed to a second reading.

By Mr. Sleeth;

No. 207. A bill to amend article 5, of chapter 48, of the Revised Statutes of 1843, in relation to the writ of *ad quod damnum*.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

By Mr. Harvey;

No. 208. A bill to incorporate the Danville and White Lick Plank Road Company.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Graham;

No. 210. A bill amendatory of the law of evidence.

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 126. A bill to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company," approved January 21, 1850.

Was read a third time and passed.

No. 135. A bill to amend section 2 of an act entitled an act to amend the laws relating to the execution of deeds by order of the Probate Court, approved January 15, 1849.

Was read a third time and passed.

No. 158. A bill to prevent Clerks and Sheriffs from purchasing judgments in the court to which they act as Clerk or Sheriff.

Was read a third time and passed.

No. 185. A bill to locate a State road from Dover Hill, in Martin county, to Bloomington, in Monroe county.

Was read a third time and passed.

No. 189. A bill for the relief of Barbara Elder, of the county of Union.

Was read a third time and passed.

No. 197. A bill to repeal an act therein named.

Was read a third time and passed.

HOUSE BILLS ON THIRD READING.

No. 11. A bill requiring the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named.

Was read a third time and passed.

No. 24. A bill to amend the charter of the Evansville and Illinois Railroad Company.

Was read a third time,

When,

Mr. Cravens moved to recommit the bill with the following instructions;

To inquire whether or not this bill does, or not, conflict with the rights of the bond holders.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Ellis, Marshall, and Miller—4.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Buckles, Dawson, Day, Defrees, Delevan, Dole, Dunn, Eddy, English, Evans, Garver, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, McCarty, Mickle, Milliken, Montgomery, Niblack, Odell, Porter, Reid, and Teegarden—36.

So the bill was not recommitted.

When,

On motion by Mr. Dunn,

The bill was referred to a select committee, consisting of Messrs. Dunn, Graham, Alexander, and James.

No. 88. A bill to amend sections 302, 303, and 304, of article 13, chapter 47, Revised Statutes, of 1843. Also, section 2, of chapter 61, on pages 1030, 1031, and 1032, of Revised Statutes of 1843, and for other purposes.

Was read a third time and passed.

No. 97. A bill relative to the practice of law.

Was read a third time and passed.

No. 40. A bill in relation to the Northern Railroad Company.

Was taken up.

Mr. Ellis moved that the Senate adjourn,

Which motion did not prevail.

The question being on the amendment proposed by Mr. Logan,

The ayes and noes were called for by two Senators.

Those who voted in the affirmative were,

Messrs. Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, English, Evans, Hardin, Harvey, Henton, Herod, Hunt, James, Kinnard, Knowlton, Logan, McCarty, Mickle, Porter, Reid, Sleeth, Teegarden, Turman, and Woods—26.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Dunn, Ellis, Goodman, Hamrick, Hanna, Holloway, Marshall, Miller,

Milliken, Montgomery, Niblack, Odell, Walker, and Winsteadley—20.

So the amendment was adopted.

On motion by Mr. Hamrick,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Milliken moved to suspend the rules and take up bill of the Senate No. 126, a bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved January 21st, 1850.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Cravens, Dawson, Day, Defrees, Dunn, Ellis, Evans, Goodman, Hamrick, Hanna, Hardin, Henton, Herod, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Miller, Milliken, Montgomery, Niblack, Odell, Porter Sleeth, Winsteadley, and Woods—31.

Those who voted in the negative were,

Messrs. Brugh, Delevan, Dole, Eddy, Mickle, Reid, Teegarden and Walker—8.

So the rules were suspended and the bill taken up.

When,

Mr. Milliken moved to reconsider the vote taken on the passage of the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Cravens, Delevan, Dunn, Eddy, Ellis, Evans, Graham, Hamrick, Herod, Kinnard, Knowlton, Marshall, McCarty, Mickle, Milliken, Montgomery, Odell, Porter, Sleeth, Turman and Winsteadley—24.

Those who voted in the negative were,

Messrs. Brugh, Dawson, Day, Defrees, Goodman, Hanna, Hardin, Henton, Holloway, James, Logan, Miller, Niblack, Reid, Teegarden, and Walker—16.

So the vote was reconsidered.

On motion by Mr. Milliken,

The vote was reconsidered ordering the bill to be engrossed.

When,

Mr. Sleeth offered the following amendment:

Amend by inserting in the proper place the following:

Also so much of an act entitled "an act to authorize the construction of a Railroad from Rushville to Lewisville in Henry county," approved January 19, 1850, as reads as follows, to-wit: "*or to any other point or town on the National road, distant at least fifteen miles from Knightstown.*"

Which was adopted.

Mr. Reid moved to recommit the bill to the Judiciary committee, with the following instructions:

To enquire into the legal provisions of the bill and report.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Brugh, Day, Defrees, Dole, Eddy, Garver, Hamrick, Hanna, Holloway, Hunt, James, Knowlton, Logan, McCarty, Mickle, Montgomery, Niblack, Odell, Reid, Turman and Walker—21.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Buckles, Cravens, Dawson, Delevan, Dunn, Ellis, English, Evans, Goodman, Graham, Henton, Herod, Kinnard, Marshall, Milliken, Porter, Sleeth, Teegarden and Winstandley—23.

So the bill was not recommitted.

The bill was then ordered to be engrossed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, with one amendment each, to-wit:

No. 80. An act to re-organize the Evansville Insurance Companies chartered under the several acts of February 8, 1836, and January 21, 1850;

Also,

No. 95. An act to amend the 12th section of chapter 56, of the Revised Statutes of 1843.

In which amendments the concurrence of the Senate is respectfully requested.

The question being on concurring in the engrossed amendments of the House to engrossed bills of the Senate Nos. 80 and 95 contained in the message,

The amendments were severally concurred in by the Senate.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House insist upon their engrossed amendment to engrossed bill of the Senate No. 63:

An act in relation to the suit of the Vincennes University against the State of Indiana.

The question being will the Senate recede?

Was decided in the negative.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with two amendments to-wit:

No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

In which the concurrence of the Senate is respectfully requested.

The question being on concurring in the engrossed amendment of the House to engrossed bill of the Senate No. 65;

The Senate refused to concur.

The following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof, to-wit:

No. 45. An act to amend section one hundred, chapter twelve, of the Revised Statutes of 1843.

No. 171. An act to amend an act entitled "an act to incorporate the Logansport and Wabash Bridge company, approved February 7th, 1835."

No. 194. An act to locate a State road in Allen county.

No. 211. An act to amend an act approved January 14th, 1850.

No. 213. An act to incorporate the Central Plank Road company of Vanderburg county.

No. 255. An act to incorporate a Fire Engine company at North Madison.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 45, 171, 194, 211, 213 and 255, contained in the preceding message of the House were severally read a first time and passed to a second reading.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 146. An act to incorporate the Connersville and Milton Turnpike company.

No. 179. An act to prohibit the traffic of intoxicating liquors in the town of Columbus.

No. 180. An act to repeal a certain act therein named so far as it relates to Grant county and to revise certain other acts.

No. 181. An act to enable the qualified voters of District No. 6, Township No. 26, range No. 1 west, in Carroll county, to levy a tax in said district sufficient to build a school house.

No. 188. An act to repeal part of the 31st section of an act to increase and extend the benefits of common schools.

No. 208. An act to amend an act therein named.

No. 209. An act providing for the sale of school section in Congressional township No. 28, north of range No. 4 west, lying in the county of White.

No. 215. An act to incorporate the town of Plymouth.

No. 216. An act to amend an act to increase and extend the benefits of common schools.

No. 225. An act to authorize Riley Sexton to take a change of venue.

No. 230. An act to repeal an act therein named.

No. 235. An act to locate a State road in Cass and Howard counties.

No. 246. An act authorizing the Board of County Commission-

ers of Pike and Gibson counties to employ by the year a physician at attend on the paupers of said county.

No. 251. An act in relation to Supervisors of Roads and Highways in the county of Jackson.

No. 256. An act to authorize a special session of the Greene Circuit Court.

No. 263. An act authorizing the Board of Commissioners of Howard county to cause a road to be made of a certain State road therein named.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 146, 181, 188, 208, 209, 225, 230, 235, 246, 251 and 263, contained in the foregoing message were severally read a first time and ordered to a second reading.

Bill No. 179, contained in the foregoing message was read a first time, the rules suspended, the bill read a second time,

When,

Mr. Hanna offered the following amendment:

Strike out all after the word "passage" in the last section;

Which was adopted, the rules suspended, the bill read a third time and passed.

Bill No. 180, contained in the message, was read a first time, the rules suspended, the bill read a second time, and,

On motion by Mr. Buckles;

Referred to a select committee consisting of Messrs. Buckles, Garver and Evans.

Bill No. 215 contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

Bill No. 216, contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Education.

Bill No. 256, contained in the message, was read a first time, the rules suspended, the bill read a second time.

Mr. Dunn moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Buckles, Cravens, Dawson, Day, Delevan, Dole, Ellis, Evans, Goodman, Graham, Hamrick, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Milliken, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, Walker, and Woods—34.

Those who voted in the negative were,

Messrs. Alexander, Brugh, Eddy, English, Hanna, Hardin, Mickle, Niblack, and Turman—9.

So the bill was indefinitely postponed.

Mr. Hardin moved to take up bill of the Senate, No. 172, a bill to apportion Senators and Representatives for the next five years, and make it the special order of the day for to-morrow at 2 o'clock.

Which was decided in the affirmative.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bills thereof, to-wit:

No. 13. An act to incorporate the Bluffton, Camden, and Winchester Plank Road Company.

No. 113. An act entitled an act to amend the road law in Jefferson county.

No. 148. An act to change the name of Mount Wallaston, in the county of White, to Norway.

No. 95. An act authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county.

No. 104. An act to amend an act entitled an act changing the mode of doing business in the county of Crawford, approved January the 18th, 1850, and for other purposes.

No. 111. An act amendatory of the acts incorporating the townships of Dearborn county, so as to authorize the Board of Commissioners of said county to establish additional election precincts, if they deem it expedient.

No. 155. An act to revive and extend the provisions of an act to incorporate the town of Anderson, approved January 17th, 1849.

No. 84. An act to change the name of Shadrach Anderson to that of William Johnson.

No. 14. An act defining the duties of County Treasurer of Pike, Delaware, Daviess, Elkhart, Tipton, Sullivan, Noble, Washington, Marshall, Fulton, Starke, Johnson, and Randolph.

No. 78. A joint resolution in relation to the bounty land law of Congress of Sept. 28, 1850.

No. 108. An act for the relief of the Recorder of Franklin county.

No. 183. A act for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county.

No. 218. An act to amend an act entitled an act to extend the term of the Probate Court of the county of Monroe, and for other purposes, approved January 21, 1850.

No. 221. An act to amend an act entitled an act to incorporate the Ladies' Sigourney Library at Logansport, approved December 27, 1848.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate,

No. 1. An act for the relief of borrowers of the School Fund,

No. 36. An act to incorporate the Cicero and Kirklin Plank Road Company,

No. 94. An act to amend an act entitled an act to restrict the County Commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation, approved January 16, 1848.

No. 97. An act to repeal an act entitled an act to amend the Statute providing for the taking a change of venue in criminal cases, approved January 16, 1849, so far as relates to the county of Steuben.

No. 115. An act to change the name of the town of Nicklesonville.

No. 142. An act to change the time of holding the February term of the Probate Court of Elkhart county for the year 1851.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

The Senate then resumed the consideration of bill No. 40, when, Mr. Dawson offered the following amendment:

Strike out the ninth section and insert the following in lieu thereof:

SEC. 9. The said Northern Indiana Railroad Company are hereby authorized, empowered and required to extend a branch of said road from Goshen, easterly, to the eastern line of the State of Indiana, through the counties of LaGrange and Steuben, on the best and most suitable ground, in the most direct course toward Toledo, in the State of Ohio, and, with the assent of the State of Ohio, to the said city of Toledo, and it is expressly declared that the said company shall and will expend and outlay upon and toward the construction

of that part of the said line lying within the counties of LaGrange and Steuben the sum of seventy-five thousand dollars within four years next ensuing from the passage of this act, and shall and will finish the entire line of said road through the counties of LaGrange and Steuben, as aforesaid, to the said city of Toledo within six years next ensuing from the passage of this act; and in case the said company shall fail or refuse to comply with either of the provisions in this section contained, within the time, manner and place specified herein, all the rights and privileges granted under or by this act and any act to which this is amendatory or to which it refers, and under every other act, or under or by any contract by this act referred to, or any other contract, shall from thenceforth become absolutely null and void: *Provided, however,* That the said company shall not be required either to make such expenditure of \$45,000, or to finish the entire line within the time specified, unless there shall be subscribed by good and bona fide subscriptions to the capital stock of the said company within the counties of LaGrange and Steuben, a sum in the aggregate not less than \$30,000, to be subscribed and paid in similar installments, and at such time as other subscriptions are to be paid for the construction of said branch road, and as called for by the board of directors of said company for the construction of said branch within the said four years, and to be expended and outlaid upon and toward the construction of that part of said line lying within said counties of LaGrange and Steuben. The intention of this provision being to secure the expenditure and outlay within the existing four years from the passage of this act, of the aggregate sum of one hundred and five thousand dollars, upon and toward the construction of that part of said line lying in said counties as above specified: *Provided, further,* That said subscriptions to be made in the said counties shall not be required unless the board of directors of said company open books of subscription at the county seats of LaGrange and Steuben, and of which time and place of opening said books, at least thirty days' notice shall previously be given, and at which time and place said books shall be kept open for the term of time of at least twenty days, and the subscribers to such stock in said counties shall be allowed to pay their stock subscriptions in cash or in work, labor, and materials for such road within their respective counties.

Provided, That a failure of the company to open and keep open books of subscription, as in this section provided, and a consequent failure of the counties of LaGrange and Steuben, or citizens thereof, to subscribe the stock in this section contemplated, shall in no wise operate to exonerate or release said company from expending the said sum of one hundred and five thousand dollars, within the time of four years, as aforesaid, within the counties of LaGrange and Steuben, or from completing the entire line from Goshen through the said counties to Toledo, within the time of six years, as in this article is provided.

Which amendment was adopted.

Mr. Ellis moved to reconsider the vote taken on yesterday, laying the amendment proposed by Mr. Dunn on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Dunn, Ellis, English, Goodman, Graham, Hamrick, Hanna, Milliken, Montgomery, Niblack, Odell, and Winstandley—17.

Those who voted in the negative were,

Messrs. Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, Evans, Hardin, Harvey, Henton, Herod, Hunt, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Porter, Reid, Teegarden, Turman, Walker, and Woods—26.

So the vote was not reconsidered.

Mr. Hanna offered the following amendment.

SEC. —. Nevertheless, it is expressly understood that the right is hereby reserved by the State to resume, at will, the possession of all that portion of the Buffalo and Mississippi Railroad, and all appurtenances thereto belonging, which lies west of Michigan City, and all rights, powers, privileges, and franchises, hereby granted to, or heretofore vested in said corporation, or any other corporation, charter, or amendments, under which the company now in possession of said western division of said road may, or do now, assume to act.

Provided, That if the State of Indiana shall hereafter take possession of said road and appurtenances, and resume the powers, privileges, and franchises, hereby, or heretofore granted, that it shall be upon the express understanding and condition that said company shall be paid by said State, the real amount expended by said company, in the construction of said road, and the appurtenances thereto belonging, and there delivered to the State; and *Provided, further,* that the State shall not exercise the power, or right, herein reserved of resuming possession as aforesaid, until after the expiration of twenty-five years from the passage of this act; and, *Provided, further,* That it is hereby declared, and expressly understood, that if the said division of the Buffalo and Mississippi Railroad, lying west of Michigan City, as aforesaid, or any company, or association of men acting under, or by authority of said original charter, or any amendments thereto, since passed, or granted, or assuming so to act, shall accept any portion of this act, either directly or indirectly, by acting under any of its provisions, that said company, or its successors, or assignees, under whatever name or form they may act, and be known, and designated, shall be held strictly to the provisions of this

section; and, *Provided, further*, That if said company, or association of men, on said western division, or those acting thereon, or therefor, shall not, either directly or indirectly, proceed to act, or operate, under the provision of this act, then and in that case, it is expressly understood that no forfeiture or abandonment, either done or suffered, either by commission or omission, by and under the original act, or under any amendments thereto by said company, or any persons acting therefor, shall, by this act, be restored, or reinvested, in said company, but that said division, and those interested therein, and all rights and franchises acquired by said company, or lost, forfeited, or abandoned, shall be, and remain as if this act had not passed; and, *Provided, further*, That the State, or her assigns, or assignees, in resuming the possession of the western division, as aforesaid, shall also pay to said company, six per cent. interest upon the actual amount so expended by said company for construction as aforesaid: *Provided, further*, That the State, or her assignee, or assignees, shall not be compelled to pay any rate of interest if the amount earned by said western division during the time the said road is in its hands shall exceed the sum of ten per cent. per annum upon the amount so as aforesaid expended for construction, and to ascertain the amount so by said western division earned, the books of said company shall be open to the inspection of any committee or agent regularly appointed by the Legislature of the State.

Mr. Dunn moved lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Dunn, Ellis, Marshall, Milliken, Montgomery, Niblack, Odell, Reid, Sleeth, Turman, and Winstandley—12.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, English, Evans, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Holloway, Hunt, Kinnard, Knowlton, Logan, McCarty, Mickel, Porter, Teegarden, Walker, and Woods—33.

So the amendment was not laid on the table.

The amendment was then adopted.

Mr. Winstandley offered the following amendment:

SEC. —. That nothing herein contained shall be so construed as to prevent the General Assembly of the State from granting to any other company, or companies, the right and privilege to construct railroads, plank roads, or other public improvements, between the points aforesaid, or any of them. Nor shall anything herein con-

tained, interfere with the rights and privileges heretofore granted to any other railroad company, or companies, in this State, and that all railroad, or plank road companies, shall have the right and privilege of constructing their roads across the track of the Northern Indiana Railroad, or the Buffalo and Mississippi Railroad Company.

Mr. Mickel moved to lay the amendment on the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Brugh, Buckles, Dawson, Day, Defrees, Delevan, Eddy, Evans, Graham, Hardin, Harvey, Henton, Herod, Hunt, James, Kinnard, Knowlton, Lgoan, McCarty, Mickel, Milliken, Porter, Reid, Sleeth, Teegarden, Turman, Walker, and Woods—28.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Dole, Dunn, Ellis, English, Goodman, Hamrick, Hanna, Holloway, Marshall, Montgomery, Niblack, Odell, and Winstandley—18.

Which was decided in the affirmative.

Mr. Ellis offered the following amendment:

Amend section —, relative to the power of making contracts to connect with other railroads, so as to form one continuous line from Lake Erie to Chicago, as follows:

For the purpose of preventing any railroad monopoly, and to secure free competition to and from Chicago for the trade and traffic of Wisconsin, Iowa, and Illinois, it is hereby further enacted and provided that if any contract or arrangement shall be made by said company with any other company or party, for transporting freight or passengers to or from Michigan City and Chicago or any point or points between them, or whereby the cars are to run or be drawn from any point east to any point west, or from any point west to any point east of Michigan City, or if cars are permitted so to run or be drawn, then it shall be the duty of the company or party owning or operating said railroad west of Michigan City, to allow a just and fair connection therewith at that place and to draw the cars and transport the freight and passengers of the Michigan Central and all other railroads, over said road west of said city to and from Michigan City and Chicago and the points between the same, and to and from the depots of such connecting companies at the said several points and places in such a manner as to accommodate such connecting roads, and so that all such connecting companies and roads shall have equal facilities over said road between said Michigan City and Chicago and every part thereof, and so that no company shall have or enjoy any advantage over any other company upon or over said road between those points at rates of fare not ex-

ceeding the lowest prices charged on the whole or any part of said continuous line of said railroad from Monroe or Toledo to Chicago, always allowing such connecting company a just and reasonable price for the use of its cars. And if the cars running upon or over the said Northern Indiana railroad are permitted to run upon or over the railroad west of Michigan City or any part of it, and the company or party owning or operating said road west of Michigan City shall refuse to draw the cars and transport the freight and passengers of said Michigan Central, and all other railroads, over the same in the manner and upon the terms above specified, then all rights granted in this act or any act to which it refers shall become void.

Mr. Dawson moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Brugh, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Eddy, Evans, Graham, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Kinnard, Logan, McCarty, Mickle, Porter, Reid, Teegarden, Turman, Walker, and Woods—28.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Dunn, Ellis, English, Hamrick, Holloway, Knowlton, Marshall, Milliken, Montgomery, Niblack, Odell, Sleeth, and Winsteadley—16.

Which was decided in the affirmative.

Mr. Milliken offered the following amendment:

SEC. —. No contract shall be made by said company or any company or party connected therewith, for constructing, maintaining, or operating any railroad west of Michigan City towards Chicago; nor shall any arrangement be made or allowed so as to form a continuous line of railroad to Chicago from any point east of Michigan City, or whereby the cars of either of such companies shall run over the track or any part of it or the other, or by which persons or property shall or can be transported by railroad west of Michigan City until the State of Illinois shall, by law, recognize the corporate existence of any railroad company which has been or may be formed to extend the Ohio and Mississippi railroad, and the Terre Haute and Richmond companies heretofore incorporated in this State, and secure and allow to said railroad companies, and each of them, the right to locate, construct, maintain, and operate said roads, and each of them, from such point on the east line of said State to such point on the west line thereof as the said companies may

severally desire, by charters as liberal as are usually granted for railroads in that State.

Mr. Dawson moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Brugh, Dawson, Day, Defrees, Delevan, Eddy, Evans, Graham, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Kinnard, Logan, Marshall, McCarty, Mickle, Porter, Reid, Teegarden, Turman, Walker, and Woods—27.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Buckles, Cravens, Dunn, Ellis, English, Hamrick, Holloway, Knowlton, Milliken, Montgomery, Niblack, Odell, Sleeth, and Winsteadley—17.

So it was decided in the affirmative.

Mr. Hamrick offered the following amendment:

Add the following section:

SEC. —. That neither this act nor any act to which this is an amendment, or any contract made by authority of this act, shall give any exclusive rights whatever to construct a road or roads to Lafayette or any other point on the Wabash river; and this act shall not be in force, nor any part thereof, until it shall be accepted by the Directors of said Northern Indiana Railroad Company, and until the Commissioners of the said western division of the Buffalo and Mississippi Railroad Company shall have accepted the provisions of this, by resolution entered on the books of said Commissioners.

Mr. Reid moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Brugh, Buckles, Dawson, Day, Defrees, Eddy, Evans, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Knowlton, Logan, Mickle, Porter, Reid, Teegarden, Turman, and Woods—22.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Delevan, Dole, Dunn, Ellis, English, Hamrick, Harvey, Herod, Holloway, Marshall, McCarty, Milliken, Montgomery, Niblack, Odell, Sleeth, Walker and Winsteadley—23.

So the amendment was not laid on the table.

Mr. Mickie moved that the Senate adjourn.
The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Buckles, Dawson, Day, Defrees, Eddy, Evans, Hardin, Hunt, Kinnard, Logan, Mickie, Porter, Reid, Sleeth, Teegarden, Turman and Woods—18.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Brugh, Cravens, Delevan, Dole, Dunn, Ellis, English, Graham, Hamrick, Hanna, Harvey, Henton, Herod, Holloway, James, Knowlton, Marshall, McCarty, Milliken, Montgomery, Niblack, Odell, Walker and Winstandley—27.

So the Senate did not adjourn.

Mr. Evans moved that the Senate adjourn;

Which was decided in the negative.

The amendment was then adopted.

Mr. Dunn offered the following amendment:

SEC. —. No contract shall be made with any other company or companies, by which dividends shall be made to any company except upon the capital actually paid by said company, and no fictitious capital or stock shall be entitled to any dividends whatever, either in this road, or any road or roads, connected therewith in the division of profits or otherwise. And no contract shall be made by this company, for a connection with any company or companies, whose stockholders hold or which has issued such fictitious capital or stock, or caused or permitted, receipts or certificates of payment for any one or more installments upon stock without the actual payment of such installment. Any violation of any of the provisions of this act shall work an entire forfeiture of all the corporate rights of this company.

Mr. Eddy moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, Evans, Graham, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Kinnard, Knowlton, Logan, McCarty, Mickie, Porter, Reid, Sleeth, Teegarden, Walker and Woods—28.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Dunn, Ellis, Hamrick, Holloway, Marshall, Milliken, Montgomery, Niblack, Odell and Winstandley—15.

So the amendment was laid on the table.

Mr. Woods moved that the Senate adjourn.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Delevan, Dunn, Ellis, Graham, Hamrick, Hanna, Holloway, James, Knowlton, Marshall, Montgomery, Niblack, Odell, Turman, Winstandley and Woods—22.

Those who voted in the negative were,

Messrs. Buckles, Dawson, Day, Defrees, Dole, Eddy, English, Evans, Hardin, Harvey, Henton, Herod, Hunt, Kinnard, Logan, McCarty, Mickie, Milliken, Porter, Reid, Sleeth, Teegarden and Walker—23.

So the Senate did not adjourn.

Mr. Montgomery offered the following amendment:

Amend by adding the following section:

SEC. —. That said company shall construct, complete and keep in repair a branch railroad from Michigan City in the county of Laporte, to Lafayette in the county of Tippecanoe, through and by the way of Monticello in White county in this State, on the most direct and convenient route and said company are hereby required to commence the same within one year from the passage of this act and complete it within six years thereafter in a substantial manner with the T rail and the toll thereon shall not be at a higher rate than may at the time be charged on similar railroads in this State, and a violation on the part of said company of any or all of the provisions in this section contained shall work a forfeiture of all the rights privileges and franchises in this act conferred.

Mr. Ellis moved the Senate adjourn.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Dele-

van, Dole, Dunn, Ellis, Hamrick, Herod, Holloway, Knowlton, Marshall, Montgomery, Niblack, Odell, Turman, Winstandley and Woods—21.

Those who voted in the negative were,

Messrs. Buckles, Dawson, Day, Defrees, Eddy, English, Evans, Graham, Hanna, Hardin, Harvey, Henton, Hunt, Kinnard, Logan, McCarty, Mickle, Milliken, Porter, Reid, Sleeth, Teegarden and Walker—23.

So the Senate refused to adjourn.

Mr. Hardin moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, English, Ellis, Evans, Graham, Hanna, Hardin, Harvey, Henton, Herod, Holloway, Hunt, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Niblack, Porter, Reid, Sleeth, Teegarden, Turman, Walker, and Woods—36.

Those who voted in the negative were,

Messrs. Athon, Cravens, Dunn, Milliken, Montgomery, Odell and Winstandley—7.

So the amendment was laid on the table.

Mr. Cravens moved that the Senate adjourn.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Dole, Dunn, Ellis, Hamrich, Holloway, Knowlton, Marshall, Montgomery, Niblack, Odell, Turman, Winstandley and Woods—17.

Those who voted in the negative were,

Messrs. Brugh, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Eddy, English, Evans, Graham, Hanna, Hardin, Harvey, Henton,

Herod, Hunt, Kinnard, Logan, McCarty, Mickle, Milliken, Porter, Reid, Teegarden and Walker—26.

So the Senate refused to adjourn.

Mr. Dunn offered the following amendment:
Insert after the word "law" in line 30, Sec. 1st, as follows:

Provided nevertheless, That said company shall not be authorized to make any such contract or contracts for the purposes aforesaid or for any other purposes with any other company or companies, body or bodies, politic or corporate, which may have done any act or omitted any duty which ought or would in law to work a forfeiture of any or all of the corporate rights, privileges, immunities or franchises of such company or companies, body or bodies, politic or corporate.

Strike out after the word "law," in line 30, Sec. 1st, all that follows down to and including line 44.

Mr. Buckles moved that the Senate adjourn,
Which was decided in the negative.

On motion by Mr. Harvey,
The Senate adjourned.

FRIDAY MORNING, JANUARY 31, 1851.

The Senate met.

On motion by Mr. Reid,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES INTRODUCED.

By Mr. Adams;

The memorial of F. T. Butler for his relief;

Which was referred to the committee on Claims.
By Mr. Reid;

A petition and remonstrance of citizens of Liberty, in Union county, concerning the town of Liberty.

Which were referred to the committee on Corporations.
By Mr. Reid;

A petition on the subject of homestead exemption;

Which was referred to the Judiciary Committee.
By Mr. Odell;

A petition on the subject of common schools;

Which was referred to the committee on Education.
By Mr. Odell;

Sundry petitions from ladies and gentlemen upon the subject of temperance;

Which was referred to the committee on Temperance.
By Mr. Holloway;

A petition in relation to temperance;

Which was referred to Senators Holloway, Milliken and Odell.
By Mr. Defrees;

The petition of John P. Werts and others;

Which was referred to Senators Defrees, James and Graham.
By Mr. Milliken;

Six petitions from the ladies and citizens of Dearborn county, on the subject of temperance;

Which were referred to the committee on Temperance.
By Mr. Milliken;

A petition from the citizens of Aurora, for an amendment to their charter; which,

On motion by Mr. Milliken,

Was referred to a Select Committee consisting of Messrs. Milliken, Woods and Knowlton.

REPORTS FROM STANDING COMMITTEES.

Mr. Ellis, from the committee on Canals and Internal Improvements, reported back No. 146, a joint resolution on the subject of

the sale of the northern division of the Central Canal, for the action of the Senate;

And were discharged from the further consideration of the subject.
By Mr. Niblack;

MR. PRESIDENT:

The committee on Claims, to whom was referred bill of the House No. 173, "An act for the relief of Andrew Morgan, of Dearborn county," have had the same under consideration, and having no evidence of the justice of said claim, and knowing nothing of its character or validity, have instructed me to report the same back to the Senate for its action, and pray to be discharged from the further consideration of the subject;

Which was concurred in and the bill laid on the table.
By Mr. Niblack;

MR. PRESIDENT:

The committee on Claims, to whom was referred a resolution of the Senate instructing said committee to inquire how much, if any thing, is due Michael Riley, late superintendent of the "New Albany and Vincennes Turnpike road," for extra services and a supposed balance due him upon his last settlement with the Auditor of State, have had the subject matter under consideration and have instructed me to report the accompanying bill and respectfully recommend its passage:

No 211. A bill for the relief of Michael Riley, late superintendent of the New Albany and Vincennes Turnpike road;

Which was read a first time and ordered to a second reading.
By Mr. English;

MR. PRESIDENT:

The committee on Claims, to whom was referred bill of the Senate, No. 136, a bill for the relief of Ann Blythstone, have, according to order, had that subject under consideration, and directed me to report the same back to the Senate with one amendment, and when so amended, recommend its passage, and ask to be discharged from the further consideration of the subject.

Amendment:
By filling the blank with "two hundred."

When,
Mr. Mickle moved to concur by striking out two hundred and inserting two hundred and fifty.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, English, Harvey, Henton, Holloway, Kinnard, McCarty, Mickel, Milliken, Sleeth, Teegarden, and Walker—20.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Berry, Cravens, Dunn, Ellis, Evans, Goodman, Graham, Hamrick, Hanna, Herod, Hunt, Knowlton, Logan, Marshall, Miller, Niblack, Odell, Porter, Reid, and Winstandley—23.

So the Senate refused to strike out.

The question then being on concurring in the report of the committee,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, English, Evans, Harvey, Henton, Herod, Holloway, Hunt, Kinnard, Knowlton, McCarty, Mickel, Miller, Milliken, Niblack, Reid, Teegarden, Walker, and Winstandley—28.

Those who voted in the negative were,

Messrs. Adams, Alexander, Berry, Cravens, Dunn, Ellis, Goodman, Graham, Hamrick, Hanna, James, Logan, Marshall, Odell, and Porter—15.

So the report of the committee was concurred in, and the bill ordered to be engrossed.

By Mr. Milliken;

MR. PRESIDENT:

The committee on Education, to whom was referred petition of the citizens of Lawrenceburgh township, on the subject of making a deed to David Nevitt of a certain half quarter section of school land in Dearborn county, have had the same under consideration, and directed me to report the accompanying bill:

No. 212. A bill for the relief of David Nevitt.

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Graham made the following report from the committee on Corporations;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate, No. 174, relative to the Western Plank Road Company, have had the same under consideration, and have directed me to report the same back and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 31, entitled an act relative to the Laporte and Plymouth Plank Road Company, have had the same under consideration, and have instructed me to report it to the Senate with the recommendation that the bill be passed.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 126, entitled an act to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved January 13, 1845, have had the same under consideration, and have directed me to report the bill back to the Senate and recommend its passage.

Which bill,

On motion by Mr. Ellis,

Was laid on the table.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill

No. 162, entitled an act in relation to the South Bend and Plymouth Plank Road Company, have had the same under consideration, and have instructed me to report it back to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

REPORTS FROM SELECT COMMITTEES.

By Mr. Alexander;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House, No. 24, have had that subject under consideration, and, after the adoption of the following additional section to be inserted next preceding the last section of said bill, recommend its passage:

No. 24. A bill to amend the charter of the Evansville and Illinois Railroad Company.

Sec. —. *And be it further enacted, &c.,* That said railroad company, by reason of this act or any other act to which this refers, shall not be allowed to erect or maintain in or over any navigable stream in this State, any obstruction or barrier whereby any and all vessels and water crafts which now are or hereafter may be used in navigating the river Ohio or any of its tributaries, shall in any way or manner be hindered, delayed or obstructed in the free and uninterrupted passage upward and downward, along or upon such navigable stream or streams so to be crossed by said railroad, or any branch thereof; and if said company shall violate the provisions of this section, such violation shall work an absolute forfeiture of all its rights, powers, privileges and franchises.

Which was concurred in, and the amendment adopted, when, Mr. Hanna moved to recommit the bill with the following instructions:

Amend by striking out all power in said charter authorizing said company to revive or take real estate on subscription of stock.

Which,

On motion by Mr. Alexander,

Was laid on the table.

When the rules were suspended, the bill read a third time and passed.

By Mr. Athon;

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No.

166, relative to incorporating the Indiana Monumental Association, have had the same under consideration, and have directed me to report the bill back with the following amendments, to-wit:

In the blank in the first section insert the following names: Jos. Lane, J. H. Lane, A. F. Morrison, Jas. A. Cravens, Col. Haddon, A. C. Pepper, C. C. Graham, Capt. Alexander, J. P. Drake, Captain Manson, T. Ware Gibson, Major McCoy, Cpts. Bracken and Hayden, J. S. Athon, George Berry.

In the second section insert first day of May, 1852.

In the third section insert 8th of January; also, insert eight for five in said section.

In fourth section insert after the word "of," in the eleventh line, "ten," after the word "sum."

In the third line, sixth section, insert "ten," also, after the word "of," in the ninth line, insert "twenty," and recommend its passage, and ask to be discharged from the further consideration thereof.

Which was concurred, and the amendments adopted.

On motion by Mr. Hardin,

The word "exclusive" was stricken out.

On motion,

The following names were added:

Col. Simon Covert, Col. John Wishard, and Capt. John Slater, of Johnson county; Chancy W. Bivens, John Fisher, John M. Sluss, D. C. Shanks, Laman McDonald, John Wilson, Joseph Woodrey, of Pike county; Col. James S. Wood, of Martin county; Major Wm. Donaldson, Lieut. James McManoney, Gen. John B. Rose, Alexander Reid, Alexander Fowler, Henry Daily, Henry D. Wheeler, Nathan Kimball, Capt. Henry Davis, Samuel M'Kinzie, of Shelby county; Ninevah Berry, Thomas M. Adams, John Osburn, S. P. Mooney, John W. Dodd, C. C. Nave, John Scott, William Spicely, John M. Lord, Wm. Ford, John Slater, Isaac S. Bordman, Enoch Railsback, Williamson Dunn, Delana R. Eckles, Mark A. Duzan, James C. Little, Joseph Warner, Franklin McRea, Smith Signor, Henry S. Law.

The bill as amended, was then ordered to be engrossed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 64, 93, 125, 104, 46, 169, 73, and 96, with the engrossed, and find them correctly enrolled.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of
29 S

the Senate Nos. 92, 118, 38, 162, 121, 79, 70, and 55, with the engrossed, and find them correctly enrolled.

Mr. Milliken moved to take from the table the message of the House containing a resolution fixing the day of adjournment.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Dawson, Day, Delevan, Dunn, Ellis, Goodman, Hamrick, Hanna, Herod, Hunt, James, Knowlton, Marshall, Miller, Milliken, Odell, Reid, Winsteadley, and Woods—24.

Those who voted in the negative were,

Messrs. Athon, Cravens, Dole, Eddy, English, Evans, Garver, Hardin, Harvey, Henton, Holloway, Kinnard, Logan, McCarty, Mickel, Niblack, Porter, Sleeth, Turman, and Walker—20.

So the message was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That this House will, the Senate concurring therein, adjourn *sine die*, on February the 10th inst.

In which the concurrence of the Senate is respectfully requested.

Mr. Dole moved to strike out 10th and insert 13th.

Mr. Buckles moved to lay it on the table.

Which was decided in the negative.

Mr. Harvey moved to postpone the further consideration of the subject until Tuesday next.

The ayes and noes being demanded, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Cravens, Defrees, Delevan, Dole, Eddy, English, Evans, Garver, Hardin, Harvey, Henton, Holloway, James, Kinnard, McCarty, Mickel, Niblack, Porter, Reid, Sleeth, Teegarden, Turman, and Walker—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Dawson, Day, Dunn, Ellis, Goodman, Hamrick, Hanna, Herod, Hunt, Knowlton, Marshall, Miller, Milliken, Odell, Winsteadley, and Woods—21.

Which was decided in the affirmative.

BILLS INTRODUCED.

By Mr. Niblack;

No. 213. A bill to change the name of Anne Able, of Martin county, to Anne Henderson;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Hamrick;

No. 214. A bill in relation to County Surveyor of Putnam county;

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Harvey;

No. 215. A bill to incorporate the Danville and Claysville Plank Road Company;

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bill of the House:

No. 8. An act to provide for electing Supervisors by districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, La-

grange, Tipton, Clinton, Harrison, Adams, Jay, Blackford and Morgan.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills of the Senate without amendment:

No. 87. An act for the benefit of the Martinsville and Franklin Railroad Company.

No. 90. An act to incorporate the Ohio and Wabash Plank Road Company.

No. 130. An act declaring Mill Creek in Morgan county a public highway.

No. 131. An act to incorporate the New Albany Hotel Company.

No. 132. An act for the relief of the Administrator of the estate of Albert Monson late of St. Joseph county.

No. 139. An act to legalize the acts of the late Treasurer of Elkhart county, and to extend the time of paying taxes in said county.

No. 156. An act to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbott.

No. 173. An act to provide for a justice of the peace in West Franklin, Posey county.

No. 192. An act transferring the duties of Agent of the Surplus Revenue fund of Scott county, to the Auditor of said county.

No. 196. An act to amend an act entitled, "an act to incorporate the West Delphi Bridge Company," approved February 15, 1838, and an act entitled, an act to amend said act, approved January 23, 1847.

No. 198. An act to incorporate the town of Pendleton, in Madison county.

SENATE BILLS ON THIRD READING.

No. 126. A bill to amend an act entitled, "an act to incorporate the Rushville and Muncietown Railroad Company," approved January 21, 1850.

Was read a third time,

When,

Mr. Reid moved to recommit the bill with the following instructions:

WHEREAS, At the June meeting of the Board of Directors of the Rushville and Shelbyville Railroad Company, held at Manilla on the 4th day of June, 1850, the following resolution was adopted by the Board, to-wit:

Resolved, That an act of the General Assembly of the State of Indiana, approved January 19, 1850, amending the charter of the Rushville and Shelbyville Railroad Company, and granting to said company the privilege of constructing a railroad from Rushville or from some point on the Rushville and Shelbyville Railroad to Lewisville in Henry county, or to any other point on the National road distant at least fifteen miles from Knightstown, be and the same is hereby accepted by this company.

Also, at the December meeting of said Board, the following resolution was adopted, to-wit:

Resolved, That this Board hereby selects Indianapolis as the point on the National road, to which this company will extend their road under the provisions of an act of the General Assembly, approved January 19, 1850, the officers of the company be and they are heret by authorized and empowered to open books and receive subscriptions of stock for the purpose of constructing and extending our road from Rushville to the city of Indianapolis on the National road; and said officers are also authorized to procure a survey of said route, to be made by competent engineers. Said stock to be payable within three years at such time or times as may be agreed upon by said officers.

Which resolutions were duly entered on the records of said company, as more fully appears from the certified copy thereof by the Secretary of said company, dated 13th of January, 1851.

WM. N. HINCHMAN, *Secretary*.

In view of obtaining the report and opinion of the Judiciary committee, whether the said company by having adopted the provisions of the aforesaid act, as shown by said resolutions, have obtained and acquired any vested rights under said charter, approved 19th January, 1850, and if so, whether this General Assembly have any power or authority, to repeal all or any part of said act, by which the rights and privileges of said company would be injured or impaired.

And the said committee are specially instructed to strike out of the bill so referred to them, all of that part, which relates to the re-

peal of a part of the provisions of the act of the 19th January, 1850, which authorizes the Rushville and Shelbyville Railroad Company, constructing a road to any other point on the National road distant at least fifteen miles from Knightstown; *provided*, said company have acquired any vested rights under said law, by their adoption and proceedings under it, as shown by the aforesaid resolutions.

The question being on recommitting the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Brugh, Cravens, Day, Defrees, Delevan, Dole, Garver, Hamrick, Hanna, Harvey, Holloway, Hunt, Kinnard, Niblack, Odell, Reid and Walker—18.

Those who voted in the negative, were,

Messrs. Adams, Athon, Buckles, Dawson, Dunn, Ellis, English, Evans, Goodman, Hardin, Henton, Herod, Knowlton, Marshall, Miller, Milliken, Montgomery, Porter, Sleeth, Turman, Winstandley and Woods—22.

The bill was not recommitted.

The bill was then passed, when,

Mr. Reid presented the following protest:

The undersigned, members of the Senate, in the exercise of a right guarantied to them by the Constitution, do hereby most solemnly **PROTEST** against the passage of a bill of the Senate, entitled, an act to authorize the construction of a railroad from Rushville to Lewisville in Henry county.

In support of this **PROTEST**, we submit to the people of Indiana, and our constituents especially, the following reasons that influenced us in opposing the passage of said bill:

WHEREAS, At the June meeting of the Board of Directors of the Rushville and Shelbyville Railroad Company, held at Manilla on the 4th day of June, 1850, the following resolution was adopted by the Board, to-wit:

Resolved, That an act of the General Assembly of the State of Indiana, approved January 19, 1850, amending the charter of the Rushville and Shelbyville Railroad Company, and granting to the same company the privilege of constructing a railroad from Rushville or from some point on the Rushville and Shelbyville Railroad to Lewisville in Henry county, or to any other point on the National road distant at least fifteen miles from Knightstown, be and the same is hereby accepted by this company.

Also, at the December meeting of said Board, the following resolution was adopted, to-wit:

Resolved, That this Board hereby selects Indianapolis as the point on the National road, to which this company will extend their road, under the provisions of an act of the General Assembly, approved January 19, 1850, and the officers of the company be and they are hereby authorized and empowered to open books and receive subscriptions of stock, for the purpose of constructing and extending our road from Rushville to the city of Indianapolis on the National road, and said officers are also authorized to procure a survey of said route, to be made by competent engineers; said stock to be made payable within three years, at such time or times as may be agreed upon by said officers.

I, William N. Hinchman, Secretary of the Rushville and Shelbyville Railroad Company, do hereby certify that the above are true and correct copies from the minutes of the Board of Directors of said company.

Witness my hand this 13th day of January, 1851.

WM. N. HINCHMAN, *Secretary*.

The undersigned would further show that from a careful examination of the above resolutions, and our opinion of the law thereon, believe that by the adoption of the act, approved the 19th January, 1850, enlarging the powers and privileges of the Rushville and Shelbyville Railroad Company, by the act aforesaid, as shown by said resolutions, said company obtained a **VESTED RIGHT, OR FRANCHISE**, which cannot be repealed or destroyed by the action of this body, without the consent of said company, or by the act of a judicial tribunal, having lawful jurisdiction to enquire into the right of said company, holding and enjoying the *rights, privileges and franchises* to them granted by the act aforesaid, approved 19th January, 1850, of which proceedings, the said company shall have due notice to answer and defend the same.

And for various other reasons the undersigned protest, and object to the passage of said bill.

JNO. S. REID,
R. D. LOGAN.

January 31, 1851.

No. 147. A bill for the relief of the Lessee of the State Prison, Was read a third time, when

Mr. Hardin moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Buckles, Dawson, Delevan, Eddy, Hanna, Hardin, Hunt, Kinnard, Logan, Miller, Montgomery and Turman—12.

Those who voted in the negative were,

Messrs. Alexander, Athon, Brugh, Cravens, Day, Dole, Dunn, Ellis, English, Garver, Goodman, Hamrick, Harvey, Henton, Herod, Holloway, James, Knowlton, Marshall, McCarty, Mickel, Niblack, Teegarden, Winstandley and Woods—25.

Which was decided in the negative.

Mr. Hanna moved to recommit with instructions to strike out "4" and insert "2 months."

Mr. Ellis moved to lay the instructions on the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Brugh, Day, Defrees, Dole, Dunn, Ellis, Harvey, Henton, Herod, Holloway, Hunt, James, Knowlton, Marshall, McCarty, Niblack and Teegarden—19.

Those who voted in the negative were,

Messrs. Buckles, Cravens, Dawson, Delevan, English, Garver, Goodman, Hamrick, Hanna, Hardin, Kinnard, Logan, Mickel, Miller, Milliken, Montgomery, Turman, Winstandley and Woods—19.

There being a tie vote the instructions were not laid on the table. The question then being on recommitting the bill, The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Buckles, Cravens, Dawson, Delevan, Eddy, English, Hamrick, Hanna, Hardin, Henton, Hunt, Kinnard, Logan, Mickel, Miller, Milliken, Porter, Sleeth and Woods—20.

Those who voted in the negative were,

Messrs. Alexander, Athon, Brugh, Day, Defrees, Dole, Dunn, Ellis, Garver, Goodman, Harvey, Herod, Holloway, James, Knowlton, Marshall, McCarty, Niblack, Odell, Teegarden and Winstandley—21.

The bill was not recommitted.

On motion by Mr. Hardin,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The hour having arrived, the apportionment bill was taken up.

On motion by Mr. Hardin,

A call of the Senate was ordered.

On motion by Mr. Buckles,

The further call of the Senate was suspended.

The question being on the reconsideration of the vote laying Mr. Buckles's amendment on the table,

It was reconsidered.

The amendment was then adopted.

Mr. Herod offered the following amendment:

Bartholomew county shall be entitled to elect one additional Representative in the years 1851, 1853 and 1855, and Jennings county shall be entitled to elect one additional Representative in the years 1852 and 1854: after "Blackford and Jay" insert, shall constitute one Representative district, and shall be entitled to elect one Representative jointly;

Which was not adopted.

Mr. Garver offered the following amendment:

Amend so that the counties of St. Joseph, Marshall, Fulton and Starke shall elect one Senator, and the counties of Howard, Cass and Pulaski one, and the counties of Boone, Tipton and Hamilton one, and the county of Hendricks one;

Which amendment was adopted.

Mr. Cravens offered the following amendment:

Amend by striking out "Clark" in the 16th line and "Floyd" in the 18th line and insert "Clark shall elect two in the years 1851 and 1853, and Floyd shall elect two in 1852 and 1855, and Washington shall elect two in 1854;"

Which was adopted.

Mr. Allen offered the following amendment:

Amend so as to give the county of Montgomery two representatives in the years 1851, 1853 and 1855, and one in 1852, and 1854, and Henry shall elect two in the years 1852 and 1854, and one at each other election;

Which was adopted.

Mr. Dole offered the following amendment;

Strike out "Floyd" where it occurs in the 2d section, and insert "Parke;" strike out "Parke" where it occurs in said section and insert "Floyd."

The question being on the adoption of the amendment,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Day, Defrees, Dole, Ellis, Harvey, Henton, Herod, Holloway, McCarty, Montgomery, Odell, and Turman—12.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Delevan, Dunn, Eddy, English, Evans, Garver, Goodman, Graham, Hamrick, Hardin, Hunt, James, Kinnard, Knowlton, Marshall, Mickle, Miller, Milliken, Porter, Sleeth, Walker, and Winsteadley—30.

It was decided in the negative.

Mr. Ellis offered the following amendment:

Strike out "Clay," in 2d section, 17th line, and insert "Knox."

The ayes and noes being demanded were ordered.

Those who voted in the affirmative were,

Messrs. Defrees, Dole, Ellis, Hamrick, Harvey, Henton, Herod, Holloway, Marshall, McCarty, Montgomery, Niblack, and Teegarden—13.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Day, Delevan, Dunn, Eddy, English, Evans, Garver, Goodman, Graham, Hanna, Hardin, Hunt, James, Kinnard, Knowlton, Mickle, Miller, Milliken, Porter, Reid, Sleeth, Turman, Walker, and Winsteadley—33.

The amendment was not adopted.

Mr. Hanna offered the following amendment:

Amend the 2d section by striking out the figure "4" where it occurs in the 17th, 19th, and 21st lines, and insert in lieu thereof the figure "3."

Which was laid on the table.

Mr. Montgomery offered the following amendment:

Amend the 15th line—strike out the word "Pulaski," and insert "Benton;" strike out of the same line the word "Benton," and insert "Pulaski."

Which was adopted.

Mr. Hanna moved the previous question,

Which was seconded.

The question being on the engrossment of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Day, Delevan, Dunn, Eddy, English, Evans, Garver, Goodman, Hamrick, Hanna, Hardin, Holloway, Hunt, Knowlton, Miller, Milliken, Montgomery, Odell, Porter, Reid, Sleeth, Turman, and Winsteadley—32.

Those who voted in the negative were,

Messrs. Defrees, Dole, Ellis, Graham, Harvey, Henton, Herod, James, Kinnard, Marshall, McCarty, Mickle, Niblack, Teegarden, and Walker—15.

So the bill was ordered to be engrossed.

The Senate then resumed the consideration of No. 147, a joint resolution for the relief of the lessee of the State prison.

On motion by Mr. Dunn,

The vote ordering the joint resolution to be engrossed was reconsidered.

Mr. Hanna moved to strike out "four months," and insert "two months."

Mr. Dunn moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Defrees, Dole, Dunn, Ellis, Graham, Harvey, Henton, Herod, Holloway, James, Knowlton, Marshall, McCarty, Montgomery, Niblack, Odell, Teegarden, and Winsteadley—18.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Berry, Buckles, Cravens, Dawson, Day, Delevan, Eddy, English, Evans, Garver, Goodman, Hamrick, Hanna, Hardin, Hunt, Kinnard, Logan, Miller, Milliken, Porter, Reid, Sleeth, Turman, and Walker—27.

So the amendment was laid on the table.

The question being on the adoption of the amendment.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Berry, Buckles, Cravens, Dawson, Delevan, Eddy, English, Evans, Garver, Hamrick, Hanna, Hardin, Henton, Hunt,

Kinnard, Logan, Mickle, Miller, Milliken, Porter, Reid, Sleith, Turman and Walker—25.

Those who voted in the negative were,

Messrs. Alexander, Athon, Brugh, Defrees, Dole, Dunn, Ellis, Goodman, Graham, Harvey, Herod, Holloway, James, Knowlton, Marshall, McCarty, Montgomery, Niblack, Odell and Teegarden—20.

So the amendment was adopted.

Mr. Defrees offered the following amendment:

Section —. That the above compensation or allowance shall be in full of all damages sustained heretofore by said lessee by any calamity whatever.

Which was adopted, and the joint resolution ordered to be engrossed.

The following message was received from the Governor, by Mr. Noel, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 171. An act legalizing the proceedings of a certain Plank Road company.

No. 97. An act to repeal an act entitled "an act to amend the Statute providing for the taking of a change of venue in criminal cases, approved January 16, 1849," so far as relates to the county of Steuben.

No. 94. An act to amend an act entitled "an act to restrict the County Commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation, approved January 16, 1848."

No. 142. An act to change the time of holding the February term of the Probate Court of Elkhart county for the year 1851.

No. 1. An act for the relief of borrowers of the School Fund.

No. 115. An act to change the name of the town of Nicklesonville.

No. 36. An act to incorporate the Cicero and Kirklin Plank Road company.

No. 161. A bill of the Senate to provide for the incorporation of subordinate lodges of the Independent Order of Odd Fellows;

Was read a third time and passed.

No. 81. A bill of the House to amend an act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike company, approved January 16, 1849;"

Was read a third time, and,

On motion by Mr. Mickle,

Recommitted to the committee on Corporations.

Mr. Mickle asked and obtained leave to present a remonstrance from the stockholders of the Fort Wayne and Bluffton Plank Road company;

Which was referred to the committee on Corporations.

No. 139. A bill of the House to locate a State road in the counties of Hamilton, Tipton and Howard;

Was read a third time and passed.

No. 161. A bill of the House authorizing the sale of section 16, in Congressional Township twenty-four, north of range twelve east, in Jay and Blackford counties;

Was read a third time and passed.

No. 40. A bill of the Senate in relation to the Northern Indiana Railroad company;

Was taken up.

The question being on the amendment proposed by Mr. Dunn,

Mr. Eddy moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Brugh, Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, Evans, Garver, Graham, Hardin, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Porter, Reid, Sleith, Teegarden, Turman and Walker—30.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Cravens, Dunn, Ellis, English, Goodman, Hamrick, Miller, Milliken, Montgomery, Niblack, Odell, Winstandley and Woods—16.

So the amendment was laid on the table.

Mr. Dunn offered the following amendment:

SEC. —. Nothing in this act or any act to which it refers, shall be so construed as to give to said Northern Indiana Railroad Company, the Buffalo and Mississippi Railroad Company, or the Commissioners of the western division thereof, any exclusive right of way round the head of Lake Michigan or any part thereof.

Mr. Reid moved to lay the amendment on the table.
The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Brugh, Dawson, Day, Defrees, Eddy, Garver, Graham, Hardin, Henton, Holloway, Hunt, James, Kinnard, Logan, McCarty, Mickle, Porter, Reid, Sleeth, Teegarden, Turman, and Walker—22.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Buckles, Cravens, Delevan, Dole, Dunn, Ellis, English, Goodman, Hamrick, Harvey, Herod, Knowlton, Marshall, Miller, Milliken, Montgomery, Niblack, Odell, Winstandley, and Woods—24.

The amendment was not laid on the table.

Mr. Eddy moved the previous question;
Which was seconded.

On motion,

A call of the Senate was ordered, and,

On motion by Mr. Ellis,

The further call of the Senate was suspended.

The question being on the engrossment of the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Berry, Brugh, Day, Defrees, Delevan, Dole, Eddy, Evans, Garver, Hardin, Henton, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Porter, Reid, Sleeth, Teegarden, Turman, and Walker—25.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Buckles, Cravens, Dawson, Dunn, Ellis, English, Goodman, Graham, Hamrick, Harvey, Herod, Hunt, Miller, Milliken, Montgomery, Niblack, Odell, Winstandley, and Woods—23.

So the bill was ordered to be engrossed.

On motion by Mr. Hardin,

The Senate adjourned.

SATURDAY MORNING, February 1, 1851.

The Senate met.

On motion,
Senator Graham was called to the chair.

The reading of the Journal dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES INTRODUCED.

By Mr. Adams;

Remonstrances from the citizens of the town of Bloomington;
Which were laid on the table.

By Mr. Turman;

Two petitions of citizens of Fountain county upon the subject of the removal of the county seat of said county. Also, three remonstrances upon the same subject;

Which were referred to a select committee consisting of Senators Turman, Allen, and Adams.

By Mr. Miller;

A petition of fifty persons, against obstructing a State road in the county of Crawford by mill dams;

Which was referred to the Judiciary committee.

By Mr. Hunt;

A petition of sundry citizens of Green township, Hancock county, on the subject of license to vend liquors;

Which,

On motion by Mr. Hunt,

Was referred to a select committee consisting of Messrs. Hunt, Logan, and Goodman.

REPORTS FROM STANDING COMMITTEES.

By Mr. Holloway;

MR. PRESIDENT:

The committee on State Library, to which was referred bill of the Senate, No. 201, entitled a bill authorizing a subscription for the Indiana Gazetteer, have had the same under consideration, and recommend that said bill be stricken out from the enacting clause, and insert the following in lieu thereof, and recommend its passage:

That the State Librarian be, and he is hereby authorized to subscribe for fifty copies of the Indiana Gazetteer for the use of the

State Library, and shall be paid for out of any money which may hereafter be appropriated for the use of said library.

SEC. 2. This act to be in force from and after its passage.

When,

On motion by Mr. Garver,
The bill and amendments were laid on the table.
By Mr. Winstandley;

MR. PRESIDENT:

The committee on the Canal Fund ask leave to report, that from the commencement of the present session of the General Assembly they have made diligent search but have not succeeded in finding any of said fund.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 5, an act to amend an act incorporating the town of Liberty, have considered the same, and instructed me to report the same back with the following amendment, and after being so amended, recommend its passage:

Insert after the enacting clause of the old bill:

SECTION 1. The common council of said town of Liberty shall have power to make and enforce all by-laws enacted by said common council, for the better government of said town, the prosecution of all crimes and misdemeanors within the limits of said corporation; and all breaches thereof shall be heard and tried before some justice of the peace, a resident within said county, having jurisdiction of similar offences under the general law of the State.

SEC. 2. In addition to the former boundaries of said corporation, the same are now extended so as to embrace all of that parcel or lot of ground adjoining to the said town on the east, and lying south of the Gollege Corner and Liberty turnpike, and north of that part of the out-lots known as "Burnside's addition," all of which are hereby declared to be a part of the corporate limits of the town of Liberty.

SEC. 3. The common council shall have power to tax all personal property, or capital vested and being employed by any person or persons non-resident within said corporation, in the same manner and to the same amount that the said common council taxes the personal property and capital of residents of said town, and shall also have power to levy and collect a poll tax of fifty cents on every resident within said corporation liable to pay a poll tax by the

general laws of the State, and an additional fifty cents on those who pay no property tax; and all dogs and animals of the dog kind, the common council may tax and collect from the owner thereof any sum not exceeding two dollars for each animal; all of which taxes shall be for the benefit of the said corporation.

SEC. 4. The common council shall have full power to regulate or prohibit the sale or barter of spirituous and intoxicating liquors, and shall have full power and authority over all unlicensed groceries, tippling houses and taverns within said corporation, to prohibit, by all necessary ordinances and regulations, the sale, barter, or dealing in all spirituous or intoxicating liquors in the house, out-house, yard, garden, or appurtenances thereto belonging, of each and every person or persons owning, renting or keeping the same; to prevent all riotous, drunken and disorderly conduct therein, and to enforce said ordinances by a reasonable penalty for every violation of the same, by each and every person or persons whomsoever, to which may be added imprisonment in the jail of the county, not exceeding twenty-four hours.

SEC. 5. That the eleventh section of the original act of incorporation of said town be so amended that it shall not be necessary to make publication of any ordinances made by the common council in a newspaper as therein stated, but that a notice of the same posted up in three of the most public places in the town, reciting said ordinances either in writing or by printed copies thereof, at least ten days prior to the same being in force, shall be deemed due publication thereof.

SEC. 6. This act to be in force from and after its passage.

Which report was concurred in, the amendment adopted, the rules suspended, the bill read a third time and passed.

By Mr. Holloway;

MR. PRESIDENT:

The select committee, composed of one member of the Senate from each Congressional District in the State, to which was referred a large number of petitions on the subject of temperance, have given the subject their attention, and a majority of said committee have instructed me to report the following bill and recommend its passage:
No. 216. A bill to more effectually prevent the sale of spirituous liquors.

Was read a first time and passed to a second reading.

By Mr. Brugh;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House,
30 S

No. 214, have had the same under consideration, and directed me to report it back with the following amendment, and when said amendment is adopted, recommend the passage of the bill:

Amend by striking out of the first section all after the word "1846," in the fourth line, and insert in lieu thereof the following: "be and the same are hereby extended to the county of Randolph, in the eleventh judicial circuit."

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

Mr. Buckles moved to amend the title by inserting "Randolph county."

Which was adopted.

Mr. Milliken asked and obtained leave to withdraw from the files of the Senate three petitions in reference to requiring the Auditor of Dearborn county to make a deed therein named.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment:

No. 32. An act to amend an act entitled an act to incorporate the Hamilton Manufacturing Company.

No. 84. A preamble and act to amend an act entitled an act to incorporate the Indiana Canal Company, approved December 6, 1848, and the amendment thereto, approved January 17, 1849.

No. 99. An act to amend an act entitled an act to incorporate the Williamsburgh and Centerville Turnpike Company.

No. 109. An act to incorporate the Plainfield Seminary.

No. 141. An act establishing a State road in the counties of Orange and Crawford.

No. 145. An act to vacate a portion of a certain State road.

No. 151. An act to incorporate the town of New Winchester, in Hendricks county.

No. 165. An act to establish and legalize the name of Mary Jacoby, and for other purposes.

No. 187. An act relative to the borough of Vincennes.

No. 199. An act to amend an act entitled an act to establish a State road therein named.

By Mr. Holloway;

MR. PRESIDENT:

The Select Committee to which was referred a joint resolution,

No. 148, entitled "A joint resolution in relation to the pay of Austin H. Brown, printer to the Constitutional Convention of this State," have had the same under consideration and have instructed me to report the same back to the Senate, and recommend its passage.

Mr. English offered the following amendment:

Amend so that nothing herein contained shall be so construed to operate against the claim J. P. Chapman may have as State printer against the State.

Mr. Cravens moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Delevan, Graham, Hamrick, Hanna, Niblack and Winsteadley—7.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Berry, Buckles, Dawson, Day, De-frees, Dunn, Eddy, Ellis, English, Evans, Garver, Goodman, Hardin, Harvey, Henton, Herod, Holloway, Hunt, Kinnard, Logan, Marshall, McCarty, Mickle, Miller, Milliken, Montgomery, Porter, Reid, Sleeth, Teegarden, Turman, Walker and Woods—36.

So the amendment was not laid on the table.

Mr. Porter moved to amend the amendment by inserting after the word "Chapman" "if any he";

Which was adopted.

The amendment as amended was then adopted.

Mr. Berry offered the following amendment:

Strike out of section one the words "of Austin H. Brown the printer to" and insert in lieu thereof "made by the";

Pending which, on motion by Mr. Milliken,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Graham in the Chair.

BILLS INTRODUCED.

By Mr. Harvey;

No. 217. A bill in relation to the Northern Indiana Railroad Company;

Which was read a first time, the rules suspended, and the bill read a second time.

Mr. McCarty offered the following amendment:

Amend section 3 as follows:

Provided, That no railroad shall be constructed through LaPorte county under this act or any act to which it refers, or any road with which it may connect, except by way of Michigan City, and making that a point, or by which freight or passengers can be transferred through said county except by way of said city;

Which was not adopted.

The rules were further suspended, the bill read a third time and passed.

By Mr. Graham;

No. 218. A bill to legalize the sale of lands and town lots for taxes in Spencer county, on the first Monday of January, 1851.

Was read a first time, and passed to a second reading.

By Mr. Hamrick:

No. 219. A bill to amend the General Road Law so far as the county of Putnam is concerned;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, and the bill read a third time and passed.

By Mr. Evans;

No. 220. A bill to authorize the extension of the Knightstown and Shelbyville Railroad;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and Referred to the committee on Corporations.

On motion by Mr. Ellis;

No. 126. A bill of the House to amend an act entitled "an act to incorporate the Terre Haute Draw Bridge Company," approved January 13, 1845,

Was taken from the table, and

Ordered to a third reading.

By Mr. Adams;

No. 221. A bill to amend the charter of the town of Bloomington, in the county of Monroe;

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Adams, Dunn and Hardin.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 40. A bill in relation to the Northern Indiana Railroad Company;

Was read a third time and laid on the table.

No. 108. A bill to constitute a school district from a portion of territory in the counties of Grant and Blackford;

Was read a third time and passed.

No. 136. A bill for the relief of Ann Blythestone, of Allen county;

Was read a third time and passed.

No. 147. A joint resolution for the relief of the lessee of the State prison;

Was read a third time,

When,

Mr. Athon moved to recommit the bill with the following instructions:

Recommit the bill to the committee on Finance with instructions to authorize the Governor to investigate the claim of the lessee of the State prison for losses which may have been sustained on account of small pox and cholera at said prison and report to the next session of the Legislature;

Which was not adopted.

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Brugh, Buckles, Cravens, Defrees, Dole, Evans, Garver, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Marshall, Mickle, Miller, Milliken, Montgomery, Porter, and Sleeth—21.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Dawson, Delevan, Dunn, Eddy, Ellis, Goodman, Graham, Hamrick, Hanna, Hardin, Knowlton, McCarty, Niblack, Teegarden, Turman, Walker and Winstandley—20.

So the bill passed.

Mr. Garver moved to amend the title as follows:

Strike out "joint resolution" and insert "bill."

No. 166. A bill to incorporate the Indiana Monumental Association;

Was read a third time.

On motion by Mr. Harvey,

The vote ordering the bill to be engrossed was reconsidered.

Mr. Harvey offered the following amendment:

Strike out of section 5, in the 2nd line, after the word "have" to the words "to erect" in the 10th line of same section. Also, after the word "erect," in the 10th line, to the words "a suitable" in the 11th line. Also, insert in the 2nd line of said section after the word "have" the word "power."

The ayes and noes being demanded, were ordered.

Those who voted in the affirmative were,

Messrs. Buckles, Dawson, Day, Defrees, Delevan, Dole, Eddy, Ellis, Evans, Goodman, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Holloway, James, Kinnard, Knowlton, Marshall, Mickle, Miller, Montgomery, Niblack, Porter, Turman and Walker—28.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Cravens, Garver, Graham, Hunt, Milliken, Sleeth and Woods—12.

So the amendment was adopted.

The bill was then read a third time and passed.

No. 172. A bill to apportion Senators and Representatives for the next five years;

Was read a third time,

When,

Mr. Mickle moved to recommit the bill with the following instructions:

So amend that Allen county shall have two representatives.

Which was not adopted.

Mr. Ellis moved to recommit with the following instructions:

Amend the bill so that Knox county shall have no representatives.

Which was not adopted.

Mr. James moved to recommit the bill with the following instructions:

Strike out "1854" wherever it occurs in the 2d section, and insert in lieu thereof "1853."

Which was not adopted.

Mr. Defrees moved to recommit with the following instructions: Amend so as Lake and Porter shall elect one representative jointly, and the county of Elkhart shall elect two.

Which was not adopted.

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Buckles, Cravens, Dawson, Day, Delevan, Dunn, Eddy, Evans, Garver, Goodman, Hamrick, Hanna, Hardin, Harvey, Holloway, Hunt, Knowlton, Miller, Milliken, Montgomery, Porter, Sleeth, Turman, Winstandley, and Woods—28.

Those who voted in the negative were,

Messrs. Alexander, Brugh, Defrees, Dole, Ellis, Graham, Henton, Herod, James, Kinnard, Marshall, McCarty, Mickle, Niblack, Teegarden, and Walker—16.

So the bill passed.

No. 174. A bill in relation to the Western Plank Road Company.

Was read a third time and passed.

When,

Mr. Hamrick moved to amend the title of the bill by adding after the word "company" as follows: "in Tippecanoe county."

Which amendment was adopted.

No. 224. A bill in relation to the county Surveyor of Putnam county.

Was read a third time and passed.

Mr. Adams asked and obtained leave to take from the table two remonstrances against amending the charter of the town of Bloomington.

Which,

On motion by Mr. Adams,

Was referred to a select committee consisting of Messrs. Adams, Dunn, and Hardin.

On motion by Mr. Milliken,

House bill No. 99, entitled a bill to extend the provisions of the 65th section of chapter 38, of the Revised Code of 1843, so as to embrace within its provisions all persons entitled to pensions or bounty land, extra pay, or arrears of pay, and for other purposes,

Was taken from the table.

When,

Mr. Niblack offered the following amendment:

Provided: That the boards doing county business of the several

counties shall take said services into consideration in making allowances to the several clerks above named for extra services.

Which,

On motion by Mr. Hardin,

Was laid on the table.

The question being on ordering the bill to a third reading,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Athon, Buckles, Dawson, Day, Eddy, Garver, Goodman, Graham, Hanna, Hardin, Hunt, Knowlton, Mickle, Miller, Milliken, Sleeth, and Turman—19.

Those who voted in the negative were,

Messrs. Adams, Brugh, Cravens, Defrees, Delevan, Dole, Dunn, Ellis, Hamrick, Harvey, Henton, Herod, Holloway, James, Kinnard, Marshall, McCarty, Montgomery, Niblack, Porter, Teegarden, and Walker—22.

Which was decided in the negative.

No. 146. A joint resolution on the subject of the sale of the northern division of the Central canal.

Was read a third time.

Mr. Ellis moved to lay the bill on the table.

Which did not prevail.

The question being on the passage of the bill,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Buckles, Cravens, Delevan, Eddy, Evans, Garver, Goodman, Herod, Holloway, Hunt, Kinnard, Knowlton, Mickle, Miller, Milliken, Niblack, Porter, Sleeth, Turman, Walker, and Woods—23.

Those who voted in the negative were,

Messrs. Adams, Berry, Dawson, Defrees, Dole, Dunn, Ellis, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, James, Marshall, and Montgomery—16.

So the bill passed.

On motion by Mr. Buckles,

No. 107. A bill of the House relative to the election of Prosecuting Attorneys,

Was taken from the table and referred to a select committee consisting of

Messrs. Buckles, Graham, and Porter.

On motion by Mr. McCarty,

Bill No. 164 was taken from the table.

A bill to incorporate the Indiana Fire and Marine Insurance Company.

When,

Mr. Garver moved to reconsider the vote on ordering the bill to be engrossed.

Which motion prevailed.

Mr. Garver moved to reconsider the vote taken on striking out the 10th section.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Dawson, Defrees, Dole, Dunn, Eddy, Ellis, Garver, Goodman, Hamrick, Harvey, Henton, Herod, Holloway, Hunt, Knowlton, Marshall, McCarty, Milliken, Montgomery, Sleeth, Teegarden, Turman, and Walker—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Buckles, Delevan, Evans, Graham, Hanna, Hardin, James, Kinnard, Mickle, Niblack, and Porter—16.

So the vote was reconsidered.

The question then being on striking out the 10th section,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Cravens, Dawson, Day, Defrees, Dole, Dunn, Ellis, Goodman, Hamrick, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Miller, Milliken, Montgomery, Teegarden, and Winstandley—21.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Berry, Buckles, Delevan, Eddy, Evans, Graham, Hanna, Hardin, Henton, James, Kinnard, Mickle, Niblack, Porter, Sleeth, Turman, and Walker—20.

So the 10th section was struck out, the rules suspended, the bill read a third time and passed.

Report by Mr. Teegarden, from the committee on Enrolled Bills:

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 131, 95, 132, and 80, with the enrolled, and find them correctly enrolled.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, the Speaker has signed the following enrolled bills thereof, which I am directed to bring to the Senate for signature, viz:

No. 127. An act to amend an act entitled an act to incorporate the Madison Hydraulic Manufacturing Company, approved January 15, 1849.

No. 248. An act to extend the provisions of an act therein named, to a school district in the county of Fayette.

No. 170. An act declaring a certain county road therein named a State road.

No. 195. An act declaring Flat creek, or so much thereof as lies within the counties of Pike and Dubois, a public highway.

No. 132. An act to vacate part of the road leading from Harrison to Indiana.

No. 128. An act to amend an act entitled "an act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes," approved January 17, 1850.

No. 123. An act authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate.

No. 202. An act to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall.

No. 149. An act to authorize Loyd Brown and Eli Brown to erect and maintain a mill dam across White river, near Anderson, in Madison county.

No. 164. An act relative to recording deeds in Laporte county.

No. 138. An act to locate a State road in the counties of Pulaski, Starke, and Laporte.

No. 156. An act to change the names of persons therein named.

No. 157. An act to extend the time of sessions of the Board of Commissioners of Wayne county.

No. 53. An act to incorporate the Peru and Andersontown Plank Road Company.

No. 210. An act to enable the Board of Commissioners of Lake county to borrow money to build and finish a Court House and Jail.

Whereupon the President affixed his signature thereto.
Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to engrossed bills of the House.

No. 8. An act to provide for electing supervisors by districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, La-Grange, Tipton, Clinton, and Harrison.

No. 14. An act defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin, Washington, Marshall, Fulton, Starke, Clinton, Scott, Johnson, and Randolph counties.

No. 108. An act for the relief of the Recorder of Franklin county.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bills of the House:

No. 18. An act entitled "an act fixing the salary of the Auditor of the county of Owen.

No. 66. An act for the benefit of common schools in Boone county.

No. 244. An act to locate a State road in the county of War-rick.

SENATE BILLS ON SECOND READING.

No. 204. A bill to amend section 148 and 149 of chapter 5, article 13, of the Revised Statutes of 1843;
Was read a second time, and,

On motion,
Referred to the Judiciary committee.

No. 206. A bill to amend an act entitled "an act to amend the fifteenth chapter of the Revised Statutes," approved January 26, 1847, so far as relates to the county of Shelby;
Was read a second time and referred to the Judiciary committee.

No. 211. A bill for the relief of Michael Riley, late superintendent of the New Albany and Vincennes Turnpike Road ;
 Was read a second time, and,
 On motion by Mr. Cravens:
 The bill was referred to the committee on Finance.

HOUSE BILLS ON SECOND READING.

No. 45. A bill to amend section 100, chapter twelve of the Revised Statutes of 1843 ;
 Was read a second time, and,
 On motion,
 Referred to the Judiciary committee.

No. 146. A bill to incorporate the Connersville and Milton Turnpike company ;
 Was read a second time, and,
 On motion,
 Referred to the committee on Corporations.

No. 171. A bill to amend an act entitled "an act to incorporate the Logansport and Wabash Bridge company, approved February 7, 1835."
 Was read a second time, and,
 On motion,

Referred to the committee on Corporations.

No. 181. A bill to enable the qualified voters of district No. 6, township No. 26, range No. 1 west, in Carroll county, to levy a tax in said district sufficient to build a school house ;
 Was read a second time and ordered to a third reading.

No. 188. A bill to repeal part of the 31st section of an act to increase and extend the benefits of common schools ;
 Was read a second time, and,

On motion,

Referred to the committee on Education.

No. 194. A bill to locate a State road in Allen county ;
 Was read a second time and ordered to a third reading.

No. 208. A bill to amend an act therein named ;
 Was read a second time and ordered to a third reading.

No. 209. A bill providing for the sale of school section in Congressional township No. 28, north of range No. 4 west, lying in the county of White ;

Was read a second time and ordered to a third reading.

No. 211. A bill to amend an act approved January 14, 1830 ;

Was read a second time and ordered to a third reading.

No. 213. A bill to incorporate the Central Plank Road company of Vanderburg county ;

Was read a second time, and,

On motion,

Referred to the committee on Corporations.

No. 225. A bill to authorize Riley Sexton to take a change of venue ;

Was read a second time, and,

On motion,

Referred to the Judiciary committee.

No. 230. A bill to repeal an act therein named ;

Was read a second time and ordered to a third reading.

No. 235. A bill to locate a State road in Cass and Howard counties ;

Was read a second time and ordered to a third reading.

No. 246. A bill authorizing the Board of County Commissioners of Pike and Gibson counties to employ by the year a physician to attend on the paupers of said counties.

Was read a second time, and ordered to a third reading.

No. 251. A bill in relation to supervisors of roads and highways in the county of Jackson ;

Was read a second time and ordered to a third reading.

No. 255. A bill to incorporate a Fire Engine company at North Madison ;

Was read a second time and referred to the committee on Corporations.

No. 263. A bill authorizing the board of Commissioners of Howard county to cause a record to be made of a certain State road therein named ;

Was read a second time and ordered to a third reading.

Mr. Garver moved that the Senate adjourn ;

Which was decided in the negative.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with an amendment :

No. 30. An act relative to the Clark county Central Plank Road company ;

In which amendment the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Sen-

ate that the House has passed the following engrossed bill of the Senate, with sundry amendments:

No. 129. An act for the construction of a sewer at the State's Prison;

In which amendments the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with two amendments:

No. 114. An act to amend an act entitled an act to incorporate the trustees of the Hartsville Academy, approved Jan. 12th, 1850;

In which amendments the concurrence of the Senate is respectfully requested.

Which amendments were concurred in by the Senate.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insists on the engrossed amendments to engrossed bill of the Senate,

No. 65. An act to incorporate the Sparta and Versailles Turnpike company.

The question being does the Senate adhere to their disagreement to the engrossed amendment of the House to engrossed bill of the Senate,

Was decided in the affirmative.

The following message from the House was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with one amendment:

No. 111. An act to incorporate the town of Covington, in the county of Fountain;

In which amendment the concurrence of the Senate is respectfully requested;

Which amendment was concurred in by the Senate.

Also the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insists upon their engrossed amendment to engrossed bill of the Senate,

No. 15. An act for the relief of Joseph Allen, of Crawford county.

On motion by Mr. Miller,

The Senate receded from their disagreement to the engrossed amendment of the House.

Also the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the House:

No. 233. An act for the relief of the heirs of Elizabeth Blatner, late of Dearborn county, Indiana, but now deceased;

In which the concurrence of the Senate is respectfully requested.

No. 233 contained in the message

Was read a first time and passed to a second reading.

Also the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof, to-wit:

No. 168. An act to authorize the Lafayette Insurance Company to increase their capital stock.

No. 186. An act defining the boundary of LaPorte, Porter and Lake counties.

No. 193. An act to authorize the election of a county surveyor in Greene county.

No. 204. An act to incorporate the Washington and Maysville Plank Road company, in the county of Daviess.

No. 229. An act to amend an act entitled "an act incorporating the Indianapolis and Springfield Plank Road company," approved Jan. 19, 1850.

No. 236. An act to incorporate the White River Navigation company.

No. 305. An act in relation to the sale of spirituous liquors in Johnson county.

No. 239. An act to give county Treasurers to the first of April, 1851, to make settlement with the Auditor of State.

No. 243. An act to defray the expenses of the Quartermaster General and for other purposes.

No. 245. An act to amend the general Road Law, approved Jan. 16, 1849, so far as the same relates to the county of Cass.

No. 247. An act to enable the qualified voters of school districts No. five and eight in township 37, range three west, in Laporte county, to build a union school house, and for other purposes.

No. 250. An act to authorize the inhabitants of school district No. 2, in town No. 36, range 3 west, in Laporte county, to levy an additional school tax.

No. 252. An act to repeal the first 13 sections of chapter 50 of the revised code of 1843, so far as relates to the counties of Scott and Greene.

No. 254. An act for the sale of the public square of Evansville, and the application of its proceeds to the erection of new county buildings for Vanderburgh county.

No. 260. An act to incorporate the Newburg and Vanderburgh Railroad company.

No. 264. An act to amend an act entitled an act to amend the act entitled an act to incorporate the city of Fort Wayne, and all acts and parts of acts amendatory thereto.

No. 266. An act to incorporate the Central Michigan Plank Road Company.

No. 268. An act to establish a free turnpike road.

No. 269. An act to incorporate the Madison Medical Society at Madison at the county of Jefferson.

No. 270. An act for the relief of Thomas Decimus Franklin, Sophia Whitworth, William Whall, John Whall, and Robert Whall.

No. 275. An act to change a portion of a certain State road therein named, in the counties of Boone and Hamilton.

No. 280. An act to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn, and Daviess, upon which no execution has issued for three years from the rendition thereof, and where fees have not been collected for three years from the termination of the suit in which the same is taxed.

No. 182. An act to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad Company, approved January 19th, 1846.

No. 284. A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company.

No. 286. An act to enable the Auditor of Spencer county to convey a certain tract of land therein named to John Masterson.

No. 295. An act to locate a State road in the counties of Crawford and Perry.

No. 297. An act for the relief of the inhabitants of district No. 1, in Congressional township No. 1, north of range No. 1 west, in Orange county.

No. 298. An act authorizing the administrator and widow of Josiah F. Oakes, deceased, to execute certain deeds of quit claim.

No. 299. An act to restrict the Grand Jurors of Porter and Lake counties to a limited time in their sessions, and for other purposes.

No. 300. An act to amend an act entitled an act requiring the supervisors of roads, in Coal Creek township, in Montgomery county, to keep the same in repair, and for other purposes therein contained.

No. 303. An act to incorporate the Franklin and Shelbyville Plank Road Company.

No. 306. An act to amend an act entitled an act to compel non residents to pay a road tax equal to that paid by residents in the county of Whitley, approved January 14th, 1850.

No. 308. An act to amend an act entitled an act to prohibit the sale of spirituous liquors in Adams, Fall Creek, and Anderson townships, in Madison county, by a less quantity than thirty gallons, approved January 17th, 1849.

No. 310. An act to repeal certain acts therein named, so far as the county of Jay is concerned.

No. 311. An act to incorporate the congregation of the German Evangelical Lutheran St. Paul's Church, in the city of Fort Wayne, in Allen county.

No. 313. An act authorizing certain persons therein named to erect a toll bridge across the west fork of White river at, or near, the falls, in Morgan county.

No. 324. An act to authorize the election of a supervisor of roads, in Laurel township, in Franklin county.

No. 326. An act to change the name of the town of Portland, in Hancock county, to that of Cleveland, and to incorporate the same.

In which the concurrence of the Senate is respectfully requested.

Bills Nos. 186, 193 and 239 contained in the foregoing message were severally taken up, read a first time and passed to a second reading.

No. 168, contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

No. 182, contained in the message, was read a first time, the rules suspended, the bill read a second time and ordered to a third reading.

No. 204, contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

Bill No. 229, contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of Messrs. Dole, Harvey, and McCarty.

Bill No. 236, contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

On motion by Mr. Hardin,
The Senate adjourned.

MONDAY MORNING, February 3d, 1851.

The Senate met.

On motion,
Mr. Graham was called to the chair.
The reading of the Journal was dispensed with.

REPORTS FROM STANDING COMMITTEES.

By Mr. Garver ;

MR. PRESIDENT :

The committee on Finance to whom was referred bill of the Senate, No. 167, entitled an act for the relief of John J. Cummins, have had the same under consideration and directed me to report the same back and recommend its indefinite postponement.

Which was concurred in the bill indefinitely postponed.

By. Mr. Athon ;

MR. PRESIDENT :

The standing committee on claims, to whom was referred the petition of John H. Cutter, surviving partner of B. G. Cutter & Co., have had the same under consideration, and have instructed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration thereof.

No. 222. A bill for the relief of John H. Cutter, surviving partner of B. G. Cutter & Co.

Was read a first time and passed to a second reading.

By Mr. Winstandley ;

MR. PRESIDENT :

The committee on Corporations, to whom was referred House bill No. 147, entitled "an act to incorporate the Newport and Winchester Plank Road company, have had the same under consideration and directed me to report it back to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Eddy ;

MR. PRESIDENT :

The committee on Corporations, to whom was referred House bill No. 215, have had the same under consideration and have instructed me to report it to the Senate without amendment and recommend its passage.

No. 215. A bill to incorporate the town of Plymouth.

Which report was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Graham ;

MR. PRESIDENT :

The committee on Corporations, to whom was referred bill of the Senate No. 202, for the benefit of the Mount Vernon and New Harmony Plank Road company, report the same back without amendment and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Graham ;

MR. PRESIDENT :

The committee on Corporations, to whom was referred House bill 124, to incorporate the Vanderburgh Manufacturing company, have had the same under consideration and have directed me to report the same back and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill 81, to amend an act to incorporate the Fort Wayne and Bluffton Turnpike Company, have had the same under consideration and have directed me to report the same back and recommend that it be laid on the table.

Which was concurred in and the bill laid on the table.

The Senate resumed the consideration of bill No. 148.

The question being on the adoption of Mr. Berry's amendment;

Mr. Hanna moved to lay the amendment on the table;

Which was decided in the negative.

The question recurring on the adoption of the amendment,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Berry, Brugh, Buckles, Cravens, Dawson, Day, Defrees, Dole, Eddy, Ellis, Evans, Graham, Hardin, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Marshall, McCarty, Mickle, Milliken, Niblack, Porter, Sleeth, Teegarden, Turman, Walker, Winstandley and Woods—36.

Those who voted in the negative were,

Messrs. Athon, Delevan, Dunn, Garver, Hamrick, Hanna, Miller, Montgomery, Odell and Reid—10.

So the amendment was adopted.

Mr. Hanna, moved to recommit with the following instructions:

To enquire into the claim of John D. Defrees.

1st. Whether we are legally bound to pay it?

2d. If not, how much are we equitably bound to pay him?

Mr. Montgomery moved to lay the instructions on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative, were,

Messrs. Brugh, Buckles, Cravens, Day, Dole, Ellis, Graham, Hamrick, Harvey, Henton, Herod, Holloway, James, Knowlton, Mar-

shall, McCarty, Montgomery, Niblack, Odell, Porter, Teegarden, Turman, Walker and Winstandley—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Dawson, Delevan, Dunn, Eddy, Evans, Garver, Goodman, Hanna, Hardin, Hunt, Kinnard, Logan, Mickle, Miller, Milliken, Reid, Sleeth and Woods—22.

So the motion prevailed.

Mr. Hanna moved the following instructions:

Providing, That the whole amount paid to said John D. Defrees, under the resolution; also, under any arrangement which he may have with Austin H. Brown, shall not together exceed the rates paid to the State Printer for composition and press work for plain matter.

Mr. Knowlton moved to lay the instructions on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Brugh, Buckles, Cravens, Day, Defrees, Dole, Eddy, Ellis, Evans, Graham, Hamrick, Harvey, Henton, Herod, Holloway, Hunt, James, Knowlton, Logan, Marshall, Montgomery, Niblack, Odell, Porter, Teegarden, Turman, Walker, Winstandley and Woods—31.

Those who voted in the negative were,

Messrs. Athon, Dawson, Delevan, Dunn, Garver, Goodman, Hanna, Kinnard, Mickle, Miller and Milliken—11.

So the instructions were laid on the table.

Mr. Buckles offered the following amendment:

And it is also hereby further provided, that Erastus W. H. Ellis and John S. Spann, the assignees of Jacob P. Chapman, State Printer of the State of Indiana, be and they are hereby authorized to bring suit against the State of Indiana in the Marion Circuit court, in accordance with the provisions of chapter XLV, of the General Laws of 1840, page 66, for such damages as they may have sustained in consequence of the printing of the Constitutional Convention being withheld from them.

Mr. Winstandley moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Cravens, Dawson, Delevan, Dole, Goodman, Hamrick, Hanna, Henton, James, Kinnard, Miller, Niblack and Winstandley—15.

Those who voted in the negative were,

Messrs. Athon, Brugh, Buckles, Day, Dunn, Eddy, Ellis, Evans, Garver, Graham, Hardin, Harvey, Herod, Holloway, Hunt, Knowlton, Logan, Marshall, McCarty, Mickle, Milliken, Montgomery, Odell, Porter, Reid, Teegarden, Turman, Walker and Woods—29.

So the amendment was not laid on the table.

Mr. Hanna moved to lay the bill and pending amendments on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Dunn, Goodman, Hanna, Miller and Milliken—5.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Buckles, Cravens, Dawson, Day, Delevan, Dole, Eddy, Ellis, Evans, Garver, Graham, Hamrick, Hardin, Harvey, Henton, Herod, Holloway, Hunt, Knowlton, Logan, Marshall, McCarty, Mickle, Montgomery, Niblack, Odell, Porter, Reid, Teegarden, Turman, Winstandley and Woods—37.

So the motion did not prevail.

Mr. Porter offered the following amendment to the amendment.

Insert after the words, "may have sustained," the words "if any."

Which was adopted.

The amendment as amended was then adopted.

Mr. Holloway offered the following amendment:

"And in the manner prescribed by the law regulating the measurement of the State printing."

Which was adopted.

Mr. Dunn offered the following amendment:

Which certificate of the President of the Convention shall particularly specify the object of each allowance, and the person or persons in whose favor the same is made.

Which amendment was adopted.

The question being on the engrossment of the bill,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Brugh, Cravens, Day, Defrees, Delevan, Dole, Eddy, Ellis, Evans, Garver, Graham, Hardin, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Niblack, Odell, Porter, Teegarden, Turman, Winstandley, and Woods—34.

Those who voted in the negative were,

Messrs. Alexander, Buckles, Dunn, Goodman, Hamrick, Hanna, Miller, Milliken, Montgomeey, Reid, and Sleeth—11.

So the bill was ordered to be engrossed.
By Mr. Buckles;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred Senate bill No. 206, have had the same under consideration, and have directed me to report the same back and recommend its passage.

No. 206. A bill to amend an act entitled "an act to amend the 15th chapter of the Revised Statutes," approved January 26th, 1847, so far as relates to the county of Shelby.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred Senate bill No. 204, have had the same under consideration, and have directed me to report back and recommend its passage.

No. 204. A bill to amend sections 148 and 149, of chapter 5, article 13, of the Revised Statutes of 1843.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Dunn;

MR. PRESIDENT:

The committee on Claims, to whom was referred the petition of

Thomas Shannon, have had the same under consideration, and not finding the same sufficiently sustained by evidence, have directed me to return said petition back to the Senate, with a recommendation that it lie upon the table, and to ask that said committee may be discharged from the further consideration of the subject.

Which was concurred in.
By Mr. Milliken;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the House No. 156, a bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15th, 1849, have had the same under consideration, and directed me to report it back to the Senate and recommend that it be laid on the table.

Which was not concurred in.
When,

On motion,
The bill was referred to Senators Niblack, Ellis, English, Knowlton, and Milliken.

REPORTS FROM SELECT COMMITTEES.

By Mr. Buckles;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 180, "an act to repeal an act therein named, so far as it relates to Grant county, and to revive certain other acts," have had the same under consideration, and directed me to report it back to the Senate with the following amendments, and when said amendments are adopted, recommend the passage of the bill.

Amend by inserting in the 4th line of the first section, after the word "1849," the following: "And the ninth section of an act to extend the jurisdiction of Justices of the Peace in certain criminal causes," approved February 16th, 1848.

Also, amend by striking out of the fifth line in the first section the words "county of Grant," and insert in lieu thereof the following: "Eleventh Judicial Circuit."

Also, amend the seventh line of said section by striking out the words "county of Grant," and insert in lieu thereof the following: "Eleventh Judicial Circuit."

Which amendments were adopted, and the bill ordered to a third reading.

By Mr. Buckles;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 107, an act relative to the election of Prosecuting Attorneys, have had the same under consideration, and directed me to report it back to the Senate with the following amendments, and when said amendments are adopted, recommend its passage:

Amend by adding the following section:

SEC. —. And so much of an act entitled an act to provide for the appointment of a Circuit Prosecutor, and defining his duties, approved January 20th, A. D. 1831, as is repealed by the act repealed by the first section of this act, be, and the same is hereby revived and declared in full force. *Provided, however,* That nothing in this act, nor the acts by this act revived shall be so construed as to prevent Circuit Prosecutors from prosecuting and defending criminal causes in the Supreme Court that may have originated in their respective circuits. *And provided further,* That nothing herein contained shall be so construed as to prevent the Prosecuting Attorney of the Fourth Judicial Circuit from holding his said office until the expiration of the term for which he was elected.

Which amendments were adopted, and the bill ordered to a third reading.

By Mr. Mickel;

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of Adams county, praying for the privilege to keep a German school in French township, in said county, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 223. A bill to authorize certain school districts in Adams county to draw their proportion of the common school fund.

Was read a first time, and passed to a second reading.

By Mr. Adams;

MR. PRESIDENT:

The select committee, to whom bill of the Senate, No. 221, was referred, have had the same under consideration, and have directed

me to report the same back to the Senate, with three amendments, upon the adoption of which they recommend its passage:

No. 221. A bill to amend the charter of the town of Bloomington, in the county of Monroe.

Amend the 8th section by filling the blank in the fifth line with "three months."

Amend the 9th section as follows: after the word "town," in the fifth line, add the words, "or by written or printed advertisements, sit up in some conspicuous place in each ward.

Amend the 11th section as follows: after the word "fifty-one," in the third line:

Provided, however, That the extension of the corporate limits of the town of Bloomington, as in this act contemplated, shall not take effect and be in force until a majority of the male citizens over the age of twenty-one years, and who are residing on or owning lands or lots within the territory hereby proposed to be included within the corporate limits aforesaid, and who, according to the municipal laws of said town would, if included, be liable to pay any municipal tax shall assent thereto under their hands on the record book of the council of said town; but in any event, the council of said town shall have full and complete jurisdiction over the streets and alleys leading to the graveyard, for the purpose of opening and keeping the same in repair.

Which amendments were adopted, the rules suspended, the bill read a third time and passed.

By Mr. Holloway;

MR. PRESIDENT:

The select committee, to which was referred the memorial of E. W. H. Ellis and John S. Spann, asking the Legislature to pass a law authorizing said Ellis & Spann to institute a suit against the State, in the Marion circuit court, for the recovery of such damages, if any, they may have sustained in consequence of the printing of the Constitutional Convention being withheld from them, have had the same under consideration, and a majority of said committee have instructed me to report the following bill and recommend its passage:

No. 224. A bill for the relief of E. W. H. Ellis and John S. Spann, assignees of Jacob P. Chapman, State Printer.

Which was read a first time and passed to a second reading.

By Mr. Defrees;

MR. PRESIDENT:

The select committee, to whom was referred the petition of John

P. Werts and others, upon the subject of changing the name of Howard Allen, have had the same under consideration, and instructed me to report the following bill and recommend its passage:

No. 225. A bill to change the name of Howard Allen to Howard Werts.

Was read a first time and passed to a second reading.

By Mr. Mickle;

MR. PRESIDENT:

The select committee, to whom was referred a petition of sundry citizens of Adams and Allen counties, praying for a certain State road therein named, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 226. A bill to locate a State road in the counties of Adams and Allen.

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Niblack submitted the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire whether an act entitled an act defining the duties of petitioners for relocating seats of justice, and for other purposes, approved February 4, 1841, is still in force, or whether there is any law, similar in its provisions to that act, now in force, which may have been since enacted, and that said committee report their opinion to the Senate at as early a day as practicable.

Which was adopted.

Mr. Niblack introduced the following resolution:

Resolved, That the committee on Swamp Lands be instructed to report a bill to the Senate making provision for the payment of persons employed in pursuance of the suggestions of his Excellency the Governor, to select, designate and make returns of said swamp lands in the several counties of this State.

Which was adopted.

BILLS INTRODUCED.

By Mr. Adams;

No. 227. A bill to authorize Wm. M. Millen, administrator of the estate of James K. Hemphill, to make a deed to John Vawter.

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Henton;

No. 228. A bill to incorporate the Peru Hotel Company;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

By Mr. Reid;

No. 229. A bill to amend an act entitled an act to incorporate the Centreville and Abington Turnpike Company;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Reid;

No. 230. A bill to amend an act entitled an act, approved 16th January, 1850, in relation to the distribution of the laws of this State;

Which was read a first time and passed to a second reading.

By Mr. Logan;

No. 231. A bill to vacate a part of certain streets therein mentioned;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Goodman;

No. 232. A bill to amend the common school law;

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Education.

By Mr. Eddy;

No. 233. A bill in relation to the treatment of the Insane;

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Benevolent Institutions.

By Mr. Marshall;

No. 234. A bill to amend an act entitled an act to incorporate the Lake Michigan, Logansport and Ohio Railroad Company;

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Holloway;

No. 235. A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846.

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Logan;

No. 236. A bill to amend an act, entitled an act to incorporate the Knightstown and Shelbyville Railroad Company;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Montgomery;

No. 237. A bill to incorporate the Lafayette, Michigan City and Chicago Railroad Company;

Which was read a first time and passed to a second reading.

By Mr. Buckles;

No. 238. A bill to authorize the Circuit courts to certify certain chancery causes to the Supreme court;

Which was read a first time, the rules suspended, the bill read a second time, and referred to the Judiciary committee.

Leave being granted,

Mr. Garver submitted the following report:

MR. PRESIDENT:

The committee on Finance to whom was referred bill of the Senate No. 138, entitled an act making an appropriation for completing the engine house at the State Prison, have had the same under consideration and directed me to report the same back for the consideration of the Senate.

The question being on the engrossment of the bill.

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Day, Defrees, Dunn, Garver, Harvéy, Herod, Holloway, Knowlton, Marshall, McCarty, Niblack, Odell, Reid, Teegarden and Winstandley—17.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Buckles, Cravens, Dawson, Delevan, Eddy, Evans, Goodman, Graham, Hamrick, Hanna, Hardin, Hunt, James, Kinnard, Logan, Mickle, Miller, Milliken, Montgomery, Sleeth, Walker and Woods—25.

So the bill was not ordered to be engrossed.

By Mr. Brugh;

No. 239. A bill to authorize the voters of Jackson township, in the county of Blackford to vote at Hartford in said county;

Which was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Mickle;

No. 240. A bill to incorporate the town of Bluffton, Wells county, Indiana;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Montgomery;

No. 241. A bill to authorize the construction of Viaducts under public highways;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Logan;

No. 242. A bill to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad company;"

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

Referred to the committee on Corporations.

By Mr. Mickle;

No. 243. A bill to amend an act to incorporate the Decatur, Portland and Winchester Plank Road company;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

Referred to the committee on Corporations.

By Mr. Mickle;

No. 244. A bill to tax litigation and to appropriate the same to the support of the Judiciary;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

Referred to the Judiciary committee.

The following message was received from the Governor by Mr. Noel, his private Secretary:

EXECUTIVE DEPARTMENT, }
FEBRUARY 3, 1851. }

HON. JAMES H. LANE,

President of the Senate:

Please lay before the Senate the enclosed memorial and accompanying documents from the citizens of the county of Allen, on the subject of foreign emigration to Indiana.

Yours respectfully,

JOS. A. WRIGHT.

When,

On motion by Mr. Cravens,

The memorial and accompanying documents were laid on the table.

On motion by Mr. Cravens,

The vote taken on the engrossment of Senate bill No. 138, was reconsidered.

The question then recurring on the engrossment of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Athon, Cravens, Dunn, Ellis, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Niblack and Reid—12.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Buckles, Dawson, Day, Delevan, Dole, Eddy, Evans, Garver, Goodman, Graham, Hardin, Hunt, James, Kinnard, Logan, Mickle, Miller, Milliken, Odell, Porter, Winstandley and Woods—25.

So the bill was not ordered to be engrossed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, to-wit:

No. 19. An act to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849.

No. 56. An act to locate a State road on the line dividing Wayne and Randolph Counties.

No. 170. An act to amend an act entitled an act to incorporate the Crawfordsville and Wabash Railroad company, approved January 19, 1846, and the acts amendatory thereto.

No. 179. An act in relation to a certain road and street therein named.

No. 213. An act to change the name of Anna Able of Martin county, to Anna Henderson.

Without amendment.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bills of the House.

No. 60. An act relative to plank roads.

No. 163. An act to incorporate the Pittsborough and Crawfordsville Plank Road company.

No. 179. An act to prohibit the traffic of intoxicating liquors in the town of Columbus.

No. 201. An act to amend an act entitled an act to increase

and extend the benefits of common schools, approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county Vigo.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed to inform the Senate, that the Speaker of the House has signed the following enrolled bills of the Senate, viz:

No. 46. A joint resolution upon the subject of lands for school purposes.

No. 64. An act locating a State road on the line dividing the counties of Allen and DeKalb and for other purposes.

No. 73. An act to amend "an act to incorporate the Ohio River and Princeton Plank Road company.

No. 93. An act to repeal an act therein named.

No. 96. An act to legalize the doings and proceedings of the Alton, McCarmel and New Albany Railroad company and for other purposes.

No. 104. An act establishing an additional place of holding elections in Silver Creek township, in Clarke county.

No. 106. An act to amend an act entitled an act to incorporate the Greensburgh and Brookville Turnpike company, approved January 15, 1849.

No. 125. An act to amend an act entitled an act to authorize the Jeffersonville Railroad company, approved December 29, 1849.

No. 169. An act to annex the town of Bellville in the county of Posey, to the town of Mt. Vernon.

Mr. Henton asked and obtained leave to present a remonstrance from the citizens of upper Wabash, in relation to the construction of a dam across the Wabash river.

Which was referred to a select committee consisting of Messrs. Eddy, Walker, Mickle, and Odell.

Leave being granted,

Mr. Harvey presented a petition of the stockholders of the Indianapolis and Brownsburgh Plank Road Company, praying the passage of an act to amend their charter;

Which was referred to a select committee consisting of Messrs. Harvey, Goodman, and McCarty.

BILLS OF THE HOUSE ON FIRST READING.

No. 243. A bill to defray the expenses of the Quarter Master General, and for other purposes;

Was read a first time and,

On motion,

32 S

The rules were suspended, the bill read a second time and referred to the committee on Finance.

No. 245. A bill to amend the General Road Law, approved January 16th, 1849, so far as relates to the county of Cass;

Was read a first time and passed to a second reading.

No. 247. A bill to enable the qualified voters of school districts Nos. 5 and 8, in township 37, range 3 west, in Laporte county, to build a union school house, and for other purposes;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 250. A bill to authorize the inhabitants of school district No. 2, in township No. 36, range 3 west, in Laporte county, to levy an additional school tax;

Was read first time and passed to a second reading.

No. 252. A bill to repeal the first 13 sections of chapter 50, of the Revised Code of 1843, so far as relates to the counties of Scott and Greene;

Was read a first time and passed to a second reading.

No. 254. A bill for the sale of the public square of Evansville and the application of its proceeds to the erection of new county buildings for Vanderburgh county;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and ordered to a third reading.

No. 260. A bill to incorporate the Newburg and Vanderburgh Railroad Company;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

No. 264. A bill to amend an act entitled an act to amend the act entitled an act to incorporate the city of Fort Wayne, and all acts and parts of acts amendatory thereto;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 266. A bill to incorporate the Central Michigan Plank Road Company;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

No. 268. A bill to establish a free turnpike road;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Mickle, Dawson, and Brugh.

No. 269. A bill to incorporate the Madison Medical Society, at Madison, in the county of Jefferson;

Was read a first time and,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

No. 270. A bill for the relief of Thomas Decimus Franklin, Sophia Whitworth, William Whall, John Whall, and Robert Whall;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

No. 275. A bill to change a portion of a certain State road therein named in the counties of Boone and Hamilton;

Was read a first time and passed to a second reading.

No. 280. A bill to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn and Daviess, upon which no execution has issued for three years from the rendition thereof, and when fees have not been collected for three years from the termination of the suit in which the same is taxed;

Was read a first time and passed to a second reading.

No. 284. A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Finance.

No. 286. A bill to enable the Auditor of Spencer county to convey a certain tract of land therein named to John Masterson.

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, and the bill read a third time and passed.

No. 295. A bill to locate a State road in the counties of Crawford and Perry;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 297. A bill for the relief of the inhabitants of district No. 1, in Congressional township No. 1, north of range No. 1 west, in Orange county;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 298. A bill authorizing the Administrator and widow of Josiah F. Oakes, deceased, to execute certain deeds of quit claims;

Was read a first time and passed to a second reading.

No. 299. A bill to restrict the grand jurors of Porter and Lake counties to a limited time in their sessions and for other purposes;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

No. 300. A bill to amend an act entitled, "an act requiring the Supervisors of roads in Cole Creek township in Montgomery county to keep the same in repair, and for other purposes therein contained;"

Was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

No. 303. A bill to incorporate the Franklin and Shelbyville Plank Road Company;

Was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

No. 305. A bill in relation to the sale of spirituous liquors in Johnson county;

Which was read a first time, the rules suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Hardin, Dunn and Cravens.

No. 306. A bill to amend an act entitled, "an act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley," approved January 14, 1850;

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Roads.

No. 308. A bill to amend an act entitled, "an act to prohibit the sale of spirituous liquors in Adams, Fall Creek, and Anderson townships in Madison county, by a less quantity than thirty gallons," approved January 17, 1849;

Which was read a first time, the rules suspended, the bill read a second time, and ordered to a third reading.

No. 310. A bill to repeal certain acts therein named, so far as the county of Jay is concerned;

Which was read a first time, the rules suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Brugh, Buckles and Allen.

No. 311. A bill to incorporate the congregation of the German Evangelical Lutheran St. Paul's church, in the city of Fort Wayne in Allen county;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time, and referred to a select committee consisting of Messrs. Mickle, Dunn and Eddy.

No. 313. A bill authorizing certain persons therein named, to erect a toll bridge across the West Fork of White river at or near the falls in Morgan county;

Which was read a first time and passed to a second reading.

No. 324. A bill to authorize the election of a supervisor of roads in Laurel township, in Franklin county;

Which was read a first time and passed to a second reading.

No. 316. A bill to change the name of the town of Portland, in Hancock county, to that of Cleveland, and to incorporate the same;

Which was read a first time and passed to a second reading;

On motion by Mr. Porter,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

HOUSE BILLS ON THIRD READING.

No. 126. A bill to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved Jan. 13, 1845;

Was read a third time and passed.

No. 181. A bill to enable the qualified voters of district No. 6, township No. 26, range No. 1 west, in Carroll county, to levy tax in said district sufficient to build a school house;

Was read a third time and passed.

No. 182. A bill to amend an act to incorporate the Peru and Indianapolis Railroad Company, approved January 19, 1846;

Was read a third time and passed.

No. 194. A bill to locate a State road in Allen county;

Was read a third time and passed.

No. 208. A bill to amend an act therein named;

Was read a third time and passed.

No. 209. A bill providing for the sale of school section in Congressional township No. 28, north of range No. 4 west, lying in the county of White;

Was read a third time and passed.

No. 211. A bill to amend an act approved January 14, 1850;

Was read a third time and passed.

No. 230. A bill to repeal an act therein named;

Was read a third time and passed.

Mr. Defrees moved to amend the title of the bill by adding as follows: "relating to the county of Elkhart."

Which motion prevailed.

No. 235. A bill to locate a State road in Cass and Howard counties;

Was read a third time and passed.

No. 246. A bill authorizing the board of County Commissioners of Pike and Greene counties to employ by the year a physician to attend on the paupers of said counties;

Was read a third time and passed.

No. 351. A bill in relation to supervisors of roads and highways in the county of Jackson;

Was read a third time and passed.

No. 263. A bill to authorize the Board of Commissioners of Howard county to cause a record to be made of a certain State road therein named;

Was read a third time and passed.

On motion by Mr. Porter,

The vote to indefinitely postpone House bill No. 62 was reconsidered.

No. 62. A bill to abolish the office of Superintendent of the work on the State Prison, and for other purposes;

The question then being on indefinitely postponing,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Ellis, Evans, Graham, Holloway, James, Marshall, Niblack, and Winstandley—10.

Those who voted in the negative were,

Messrs. Alexander, Allen, Buckles, Cravens, Dawson, Day, Defrees, Delevan, Dole, Dunn, Eddy, Garver, Hamrick, Harvey, Herod, Kinnard, Knowlton, McCarty, Mickle, Miller, Milliken, Montgomery, Odell, Porter, Reid, Sleeth, Teegarden, and Woods—28.

So the bill was not postponed.

Mr. Athon moved to lay the bill on the table.

Which was decided in the negative.

Mr. Winstandley offered the following amendment:

Amend so that it shall not take effect until after the first day of September, 1851.

Which was not adopted.

Mr. Winstandley moved to recommit the bill to the committee on the State prison, with instructions to report a bill abolishing the office of superintendent of prison buildings, so soon as the Governor shall think the services of a superintendent are no longer required by the public interests.

Which was not adopted.

The bill was ordered to be engrossed for a third reading.

Mr. Woods made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred petitions of sundry citizens of Jefferson township, in the county of Switzerland, asking the passage of a law to suppress the sale of intoxicating liquors in said township, have had the same under consideration, and have directed me report the following bill and recommend its passage:

No. 245. A bill to suppress the sale of intoxicating liquors in Jefferson township in the county of Switzerland.

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Woods;

The rules were further suspended, the bill read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 216. A bill to more effectually prevent the sale of spirituous liquors.

Mr. Ellis moved to recommit to the Judiciary committee.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Athon, Brugh, Cravens, Defrees, Delevan, Dunn, Eddy, Ellis, Hardin, Harvey, Henton, Hunt, James, Kinnard, Miller, Montgomery, Niblack, Porter, Walker, Winstandley, and Woods—23.

Those who voted in the negative were,

Messrs. Adams, Dawson, Day, Dole, Evans, Garver, Hamrick, Herod, Holloway, Knowlton, Marshall, McCarty, Mickle, Milliken, Odell, Reid, and Teegarden—17.

So the bill was recommitted.

No. 218. A bill to legalize the sale of lands and town lots for taxes, in Spencer county, on the 1st Monday of January, 1851 ;

Was read a second time and,

On motion,

The rules were suspended, the bill read a third time and passed.

HOUSE BILLS ON SECOND READING.

No. 186. A bill defining the boundary of Laporte, Porter, and Lake counties ;

Was read a second time and ordered to a third reading.

No. 193. A bill to authorize the election of a County Surveyor in Greene county ;

Was read a second time and ordered to a third reading.

No. 233. A bill for the relief of the heirs of Elizabeth Blatner, late of Dearborn county, Indiana, but now deceased ;

Was read a second time and ordered to a third reading.

No. 239. A bill to give County Treasurers till the first of April, 1851, to make settlement with the Auditor of State ;

Was read a second time and ordered to a third reading.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 76. An act to vacate an alley in the town of Bloomington.

No. 141. An act to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved January 15th, 1846.

No. 151. An act to amend the charter of the town of Terre Haute.

No. 187. An act to enable the citizens of Orange township, Fayette county, to elect an additional Justice of the Peace, so as to reside in the south part of said township.

No. 198. An act for the benefit of the Union Plank Road Company and Michigan City and South Bend Plank Road Company in Laporte county.

No. 288. An act to locate a State road in the counties of Montgomery and Tippecanoe.

No. 290. An act to locate a State road from Pleasant Grove, in Fulton county, by the way of the Fulton steam mill, to Perrysburg, in Miami county.

No. 292. An act to regulate the mode of proceeding in suits against the White Water Valley Canal Company for failing to build, repair, and keep up bridges at such places across said canal as said canal crosses any State or county road or street.

No. 304. An act to incorporate the Montpelier and Metamoras Plank Road Company.

No. 319. An act to incorporate the Charlestown and Brownstown Plank Road Company.

No. 325. A joint resolution in relation to Western interests.

No. 339. An act regulating the license of traveling peddlers in the county of Jackson.

No. 342. An act amendatory to an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849.

No. 345. An act defining the duties of the Treasurer of Morgan county.

No. 349. An act to extend the provisions of an act therein named to the county of Ripley.

In which the concurrence of the Senate is respectfully requested.

The following bills contained in the message were taken up:

No. 76 was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

No. 141 was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

No. 151 was read a first time and ordered to a second reading.

No. 187 was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

Nos. 198, 319, 290, and 349, were read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 288 was read a first time, the rules suspended, the bill read a second time and,

On motion by Mr. Odell,

Referred to a select committee consisting of Messrs. Odell, Allen, and Cravens.

Mr. Odell offered the following instructions:

SEC. — Said State road shall be subject to the gate laws on county roads now in force in the county of Tippecanoe.

Which was adopted.

No. 292 was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of

Messrs. Reid, Milliken, Holloway, Berry, and Logan.

No. 304, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

No. 345, was read a first time, the rules suspended, read a second time and referred to a select committee, consisting of Messrs. Delevan, Adams and Alexander.

No. 325, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Federal Relations.

No. 339, was read a first time, the rules suspended, the bill read a second time, and.

On motion,

Laid on the table.

No. 342, was read a first time, the rules suspended, the bill read a second time and referred to the committee on Education.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with one amendment:

No. 140. An act for the benefit of the Auditor of Ripley county.

In which amendment the concurrence of the Senate is respectfully requested.

On motion by Mr. Knowlton;

The bill and amendment were laid on the table.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with one amendment, to-wit:

No. 103. An act to authorize the Governor, Auditor and Treasurer of State, to borrow money to pay the interest due on the funded debt on the first day of July next and defray the expenses of the Constitutional Convention.

In which amendment the concurrence of the Senate is respectfully requested.

On motion by Mr. Ellis:

The Senate refused to concur in the engrossed amendment of the House.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill of the Senate, with one amendment:

No. 68. An act legalizing a certain deed of conveyance heretofore made and executed by the County Auditor of Perry county to William Elder.

In which amendment the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

The following message was received from the House, by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to report to the Senate the papers connected with House bill,

No. 173. An act for the relief of Andrew Morgan of Dearborn county;

To be placed with said bill.

Also the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House concurred in the engrossed amendment of the Senate to engrossed bill of the House to-wit:

No. 24. An act to amend the charter of the Evansville and Illinois Railroad company;

With one amendment.

The question being on concurring in the engrossed amendment of the House,

Was decided in the negative.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 190. An act to amend article 1st, chapter 25, of the Revised Statutes of 1843, so far as relates to the town of Princeton in Gibson county.

No. 241. An act for the relief of Harvey Bates, of the county of Marion.

No. 253. An act to regulate the mode of doing township business in the county of Wabash.

No. 258. An act to extend the powers of the Board of Commissioners of Delaware county.

No. 259. An act to amend an act regulating the time of holding Probate Courts in the county of Tipton.

No. 265. An act defining the duties of the Governor in certain cases therein named.

No. 267. An act in relation to the streets and alleys in the town of Bowling Green, in Clay county.

No. 271. An act limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph.

No. 272. An act to define the jurisdiction of Justices of the Peace in the county of Carroll.

No. 274. An act to incorporate the Indianapolis Gas Light and Coke company.

No. 276. An act for the better improvement of highways in the counties of Carroll and Dedham.

No. 279. An act to incorporate the Blountsville and Smithfield and Montpelier Plank Road company.

No. 281. An act to amend an act entitled "an act relating to certain officers in the county of Dearborn, approved January 16th, 1849.

No. 282. An act granting further powers to the township of Lawrenceburgh, in the county of Dearborn, in the State of Indiana.

No. 283. An act to prohibit the sale of intoxicating liquors in the town of Middletown, Henry county.

No. 285. An act to incorporate the New Albany and Vincennes Plank Road company.

No. 307. An act for the further security of decedents' estates in Allen county.

No. 315. An act to change the name of the Madison and Napoleon Turnpike company.

No. 317. An act in reference to the poor of Wayne township, Allen county, Indiana.

No. 331. An act to vacate an alley in the town of Greencastle, in Putnam county.

No. 332. An act to prevent intemperance in Wayne township in the county of Henry.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the preceding message were taken up.

No. 190 was read a first time, and

On motion,

The rules were suspended, and referred to the Judiciary committee.

No. 241 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Finance.

No. 253 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Henton, Niblack and Walker.

No. 258 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and ordered to a third reading.

No. 259 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and ordered to a third reading.

No. 265 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

No. 267 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

No. 271 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and ordered to a third reading.

Nos. 272, 283, 315, 317, 331, and 332 were read a first time, and

On motion,

The rules were suspended, the bills read a second time, and

On motion,

The rules were further suspended, the bills read a third time and passed.

No. 274 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on corporations.

No. 276 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Roads.

No. 279 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

No. 281 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Milliken, Alexander and Porter.

No. 282 was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and referred to Senators Milliken, Hamrick and Sleeth.

No. 285 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Ellis, Winstandley, Cravens, Niblack, Miller and Porter.

No. 307. Was read a first time, the rules suspended read a second time and referred to the Judiciary committee.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on enrolled bills have had enrolled bill of the Senate No. 84, under their charge, and have carefully compared it with the engrossed, and find it correctly enrolled.

On motion by Mr. Milliken;

Bill No. 173. A bill for the relief of Andrew Morgan, of Dearborn county.

Was taken from the table and referred to the committee on Claims.

On motion by Mr. Milliken,

The vote taken on referring House bill No. 282 to the Judiciary committee was reconsidered, and,

On motion by Mr. Milliken,

The bill was referred to a select committee consisting of Messrs. Milliken, Sleeth, and Hamrick.

Report of Mr. Dole from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 229, A bill to amend an act entitled an act to incorporate the Indianapolis and Springfield Plank Road Company, approved January 19th, 1850, have had the same under consideration, and have directed me to report the same back to the Senate with one amendment, and when so amended, to recommend its passage:

Insert immediately after the word "Danville," in the 1st section, the words "New Winchester."

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

Leave being granted the following bills were introduced:

By Mr. Hanna;

No. 246. A bill to repeal a portion of a certain act therein named;

Which was read a first time, the rules suspended, the bill read a second time, and ordered to a third reading.

By Mr. Niblack;

No. 247. A bill for the relief of Michael Granman, sr., of Daviess county;

Which was read a first time, the rules suspended, the bill read a second time, and referred to the Judiciary committee.

On motion by Mr. Hardin,

The Senate adjourned.

TUESDAY MORNING, February 4th, 1851.

The Senate met.

Mr. Milliken was called to the chair.

The reading of the Journal was dispensed with.

PETITIONS AND MEMORIALS INTRODUCED.

By Mr. Harvey;

The memorial of Berry A. Tomlinson and others, of Hendricks county, on the subject of Temperance;

Which,

On motion by Mr. Harvey,

Was laid upon the table.

By Mr. Garver;

A petition on the subject of Temperance;

Which was laid on the table.

By Mr. Henton;

A petition of the citizens of congressional township, number 27, in reference to the school law;

Which was referred to the committee on Education.

Mr. Defrees asked and obtained leave to withdraw from the files of the Senate,

A petition on the subject of school lands in Lagrange county,

REPORTS FROM STANDING COMMITTEES.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 255, being an act to incorporate a Fire Engine Company, at North Madison, have had the same under consideration, and have directed me to report the same back to the Senate without amendment and recommend its passage;

Which was concurred in and the bill ordered to a third reading.
By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 146, entitled, "an act to incorporate the Connersville and Milton Turnpike Company," have had the same under consideration and directed me to report the bill back with a recommendation that it pass the Senate;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 135, "an act to incorporate the Mullakin Mill and Junction Plank or Clay Turnpike Road Company," have had the same under consideration, and instructed me to report the same back and recommend its passage.

The bill was ordered to a third reading.
By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 168, entitled, "an act to authorize the Lafayette Insurance Company to increase their capital stock," have had the same under consideration, and have directed me to report it back for the action of the Senate;

Which was concurred in, and the bill ordered to a third reading.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 213, "an act to incorporate the Central Plank Road Company of Vanderburgh county," have considered the same, and instructed me to report it back without amendment and recommend its passage;

The bill was ordered to a third reading.
By Mr. Niblack;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 204, entitled, "an act to incorporate the Washington and Maysville Plank Road Company in the county of Daviess," have had the same under consideration and have made two amendments thereto, upon the adoption of which they respectfully recommend its passage.

Amend the 14th section by adding after the word "thereon," in the 12th line the words, "with intent to defraud said company."

Amend the 15th section by striking out the word "fifty" in the third line, and inserting in lieu thereof, "twenty-five;"

Which amendments were adopted and the bill ordered to a third reading.

REPORTS FROM SELECT COMMITTEES.

By Mr. Delevan;

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 345, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment and recommend its passage.

Mr. Adams moved to amend the bill as follows:

Strike out so much of the 3d section as requires the publication of the bill in the newspapers;

Which amendment was adopted and the bill ordered to a third reading.

By Mr. Milliken ;

MR. PRESIDENT :

The Select Committee to whom was referred bill of the House No. 281, have had the same under consideration, and direct me to report it back to the Senate, and recommend that it be indefinitely postponed.

No. 281. A bill to amend an act entitled an act relating to certain officers in the county of Dearborn, approved January 16, 1849.

Which report was concurred in, and the bill indefinitely postponed.

By Mr. Brugh ;

MR. PRESIDENT :

The Select Committee to whom was referred House bill No. 310, have had the same under consideration, and have directed me to report the same back, and recommend it to be indefinitely postponed.

No. 310. A bill to repeal a certain act therein named, so far as the county of Jay is concerned.

Which was concurred in, and the bill indefinitely postponed.

By Mr. Mickel ;

MR. PRESIDENT :

The Select Committee to whom was referred bill of the Senate, No. 86, an act to authorize Cyrus Taber and Allen Hamilton to build a mill dam across the Wabash river, in Cass county, have had that subject under consideration, and a majority of said committee have instructed me to report the same back without amendment, and recommend its passage, and ask to be discharged from the further consideration of the subject.

Mr. Henton offered the following amendment :

Strike out the word "slope" after the letter "a," after "down," in the 11th line, section (11) and insert the word "lock;" also strike out the word "over" where it occurs after the word "crafts," in said section, and insert the word "through."

Mr. Allen moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Cravens, Delevan, Dole, Dunn, Eddy, Eng-

lish, Evans, Garver, Harvey, Herod, Holloway, Hunt, James, Kinard, Logan, Marshall, McCarty, Milliken, Porter, Teegarden, Walker, and Winstandley—24.

Those who voted in the negative were,

Messrs. Alexander, Athon, Brugh, Buckles, Day, Defrees, Ellis, Hamrick, Hanna, Henton, Knowlton, Mickel, Miller, Montgomery, Niblack, Odell and Reid—17.

So the amendment was laid on the table.

Mr. Reid offered the following amendment :

Amend the 2nd section by inserting the following :

Provided, however, That the said Tabor and Hamilton, their heirs and assigns, shall be and they are hereby made liable for all damage done, or injury sustained by each and every person or persons navigating said river, on account of the insufficiency of the said *slope*, when passing through or over the same.

Mr. Garver moved to lay the amendment on the table.

The ayes and noes being demanded, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Brugh, Detrees, Delevan, Dole, Dunn, Eddy, English, Garver, Harvey, Herod, Holloway, James, Marshall, McCarty, Mickel, Miller, Sleeth, Walker, and Winstandley,—22.

Those who voted in the negative were,

Messrs. Alexander, Buckles, Cravens, Ellis, Hamrick, Henton, Hunt, Knowlton, Milliken, Montgomery, Niblack, Porter, Reid, Teegarden, and Wood—15.

So the amendment was laid on the table.

Mr. Porter moved to amend by striking out the word "benefit," and insert "provisions."

Which was adopted, and the bill ordered to a third reading.

By Mr. Mickel ;

MR. PRESIDENT :

The Select Committee to whom was referred bill of the House, No. 311, have had the same under consideration, and directed me to report the same back to the Senate, with sundry amendments, and when so amended, recommend its passage.

No. 311. A bill to incorporate the congregation of the German Evangelical Lutheran St. Paul's Church, in the city of Fort Wayne, in Allen county.

Amend 3d section, so as to insert after the word "constitution," in the second line, on the second page, the words "or laws."

Also the sixth section, so as to insert after the word "estate," in the fourth line, the words "not exceeding one hundred and sixty acres in the aggregate." And also before the word "personal," in the same line, the words "so much." And also in the same line, after the word "property," the words "as may be necessary and proper for the uses and purposes of said church."

Which was concurred in, the amendments adopted, the rules suspended, the bill read a third time, and passed.

Leave being granted,

Mr. English submitted the following resolution :

Resolved, That James P. Milliken, the Senator from the county of Dearborn, be, and he is hereby declared duly elected President *pro tem* of the Senate, to serve as such during the absence of the President of the Senate, the Hon. James H. Lane.

Which was adopted.

By Mr. Harvey ;

MR. PRESIDENT :

The Select Committee to whom was referred the petition of the stockholders of the Indianapolis and Brownsburg Plank Road Company, praying the passage of an act to amend their charter, have had the same under consideration, and directed me to report the accompanying bill, and recommend its passage; and said committee ask to be discharged from the further consideration thereof.

No. 248. A bill to amend an act entitled "an act to incorporate the Indianapolis and Brownsburgh Plank Road company," approved January 18, 1850;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Hunt ;

MR. PRESIDENT :

The Select Committee to which was referred the petition of sundry citizens of Green township, in Hancock county, have had the same under consideration, and direct me to report the following bill, and recommend its passage:

No. 249. A preamble and act relative to vending spirituous liquors in Green township, in Hancock county;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Mickle ;

MR. PRESIDENT :

The Select Committee to whom was referred bill of the House No. 268, "an act to establish a free Turnpike Road," have had the subject under consideration, and direct me to report the same back to the Senate with two amendments, and when so amended, recommend its passage.

Amend sec. 5 as follows:

Provided, however, the appropriation contemplated in this section shall not apply to any township in Adams or Allen counties, until the township trustees in said townships shall deliver to the county auditor of said counties an order directing him to make said appropriation.

Also,

Strike out "Clark," where it occurs in sections 9 and 10, and insert auditor in lieu thereof.

Which amendments were adopted,

The rules suspended, the bill read a third time and passed.

On leave, Mr. Niblack offered the following resolution:

Resolved, That the House be requested to return to the Senate, bill of the Senate No. 150, entitled "an act providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county ;

Which was adopted.

By Mr. Knowlton ;

Resolved, That the committee on Education be instructed to examine the 7th and 8th sections of the common school law, approved January 17, 1849, relative to the distribution of the school fund among the several districts, and report, by bill or otherwise, whether the auditor shall distribute the same in just proportion according to the number of scholars in each district, or without regard to said number, in order to make said sections plain and easily understood.

Which was adopted.

By Mr. Niblack ;

Resolved, That the committee on swamp lands be instructed to inquire into the expediency of appropriating a portion of the proceeds of said swamp lands for the purpose of colonizing free black persons of this State.

Which was not adopted.

BILLS INTRODUCED.

By Mr. Cravens ;

No. 250. A bill in relation to attorneys prosecuting the pleas of the State.

Which was read a first time, the rules suspended, the bill read a second time and referred to the Judiciary committee.

By Mr. Allen ;

No. 251. A bill to amend an act incorporating the Wabash Manual Labor College and Teachers' Seminary, approved January 15, 1834.

Which was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Allen ;

No. 252. A bill to amend an act entitled "an act to locate a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county," approved January 21st, 1850 ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Defrees ;

No. 253. A bill to legalize the survey and location of the Vistula State road in Elkhart county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time and ordered to be engrossed.

By Mr. Milliken ;

No. 254. A bill to incorporate the Aurora and Hartford Turnpike company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on Corporations.

By Mr. Reid ;

No. 255. A bill to incorporate the Liberty and Centreville Railroad company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

Also, a petition upon the same subject was referred to the same committee.

The following message was then taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit :

No. 356. An act to incorporate the Bluffton Band, in Wells county.

No. 357. An act to vacate a part of Gillmore's addition to the village of Angola, in Steuben county.

No. 359. An act in relation to the county debt of Scott county, and authorizing the county commissioners of said county to borrow money for certain purposes.

No. 261. An act to incorporate the Kankakee Bridge company.

No. 368. An act to amend an act entitled "an act creating the Marion Court of Common Pleas," approved Jan. 4th, 1849.

No. 369. An act extending the provisions of "an act for the benefit of the Clark county Central Plank Road company" to the Madison, Hanover and Lexington Plank Road company.

No. 370. An act to amend an act entitled "an act to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio and other States."

In which the concurrence of the Senate is respectfully requested.

Bills in the preceding message, Nos. 356 and 359, were read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

Nos. 357 and 370 were read a first time and passed to a second reading.

No. 261 was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

No. 368 was read a first time, the rules suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Garver, McCarty and Reid.

No. 369 was read a first time, the rules suspended, the bill read a second time, and referred to the committee on Corporations.

On motion by Mr. Garver.

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Milliken in the chair.

The Senate took up the resolution of the House, fixing the day of adjournment for the 10th inst., *sine die*.

On motion,

A call of the Senate was ordered.

On motion by Mr. Cravens,

The further call was suspended.

The question being on the adoption of the pending amendment offered by Mr. Dole, it was,

On motion by Mr. Harvey,

Laid on the table.

Mr. Winsteadley moved a call of the Senate.

Which was decided in the negative.

Mr. Niblack moved to take from the table the amendment offered by Mr. Dole,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Day, Ellis, Evans, Hamrick, Holloway, James, Kinnard, Logan, Marshall, Mickle, Montgomery, Niblack, Turman, and Winsteadley—15.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Buckles, Defrees, Delevan, Dunn, Eddy, English, Garver, Goodman, Hanna, Harvey, Henton, Herod, Hunt, Knowlton, Miller, Milliken, Odell, Porter, Reid, Sleeth, Teegarden, Walker, and Woods—28.

So the amendment was not taken up.

Mr. Ellis moved to strike out "10th," and insert "12th."

Mr. Hanna moved the previous question.

Which was not seconded.

Mr. Eddy moved to amend the amendment by inserting the "17th."

Mr. Hanna moved to lay the amendment to the amendment on table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Brugh, Buckles, Defrees, Delevan, Dunn, Ellis, Evans, Garver, Goodman, Hanna, Harvey, Henton, Herod, Hunt, James, Knowlton, Miller, Milliken, Odell, Porter, Reid, Sleeth, and Teegarden—25.

Those who voted in the negative were,

Messrs. Adams, Athon, Cravens, Day, Eddy, English, Hamrick, Holloway, Kinnard, Logan, Marshall, Mickle, Montgomery, Niblack, Turman, Walker, Winsteadley, and Woods—18.

So the amendment to the amendment was laid on the table.

Mr. Garver moved to reconsider the vote laying the amendment to the amendment on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Cravens, Day, Delevan, Eddy, Ellis, English, Evans, Garver, Hamrick, Hardin, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Montgomery, Niblack, Turman, Walker, and Winsteadley—24.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Defrees, Dunn, Goodman, Hanna, Harvey, Henton, Herod, Hunt, Miller, Milliken, Porter, Reid, Sleeth, and Teegarden—19.

So the vote was reconsidered.

Mr. Hanna moved to lay the amendment on the table.

Mr. Harvey moved to lay the resolution and amendments on the table.

A division of the question being called for,

The question being on laying the amendment on the table,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Dunn, Goodman, Hanna, Hardin, Harvey, Henton, Herod, Hunt, Miller, Milliken, Odell, Porter, Sleeth, and Teegarden—19.

Those who voted in the negative were,

Messrs. Athon, Cravens, Day, Defrees, Delevan, Eddy, Ellis, English, Evans, Garver, Hamrick, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickel, Montgomery, Niblack, Reid, Turman, Walker, Winstandley, and Woods—25.

So the amendment was not laid on the table.

The question then being on the adoption of the amendment to the amendment,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Athon, Cravens, Day, Delevan, Eddy, Ellis, English, Evans, Garver, Hamrick, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickel, Montgomery, Niblack, Turman, Walker, Winstandley, and Woods—23.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Defrees, Dunn, Goodman, Hanna, Hardin, Harvey, Henton, Herod, Hunt, Miller, Milliken, Odell, Porter, Reid, Sleeth, and Teegarden—21.

The amendment to the amendment was adopted.

The question being on the adoption of the amendment as amended,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Athon, Cravens, Day, Delevan, Eddy, Ellis, English, Evans, Garver, Hamrick, Holloway, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickel, Montgomery, Niblack, Turman, Walker, Winstandley, and Woods—24.

Those who voted in the negative, were,

Messrs. Adams, Alexander, Allen, Brugh, Buckles, Defrees, Dunn, Goodman, Hanna, Hardin, Harvey, Henton, Herod, Hunt, Miller, Milliken, Odell, Porter, Reid, Sleeth, and Teegarden—21.

So it was adopted.

On motion by Mr. Herod,

Leave of absence was granted to Mr. Reid from and after Saturday next.

Mr. English moved to reconsider the vote granting leave of absence to Mr. Reid.

Mr. Eddy moved that the Senate adjourn;

Which was decided in the negative.

On motion by Mr. Eddy,

Leave of absence was granted to the committee on Corporations.

On motion by Mr. Henton,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof, to-wit:

No. 152. An act to amend an act entitled "an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company," enacted by the General Assembly in February, 1848.

No. 353. An act to incorporate the town of Valparaiso, in the county of Porter.

In which the concurrence of the Senate is respectfully requested.

BILLS CONTAINED IN THE MESSAGE.

No. 152 was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

No. 353 was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

Mr. Dunn asked and obtained leave to introduce the following bill:

No. 156. A bill in relation to bills of exception;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

Mr. Garver made the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 368 entitled an act to amend an act creating the Marion Court of Common Pleas, approved January 4th, 1849, have had the same under consideration, and directed me to report the same back and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

Nos. 19, 87, 90, 98, 109, 130, 129, 145, 151, 170, 196, 199, 213, and 84.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, the Speaker has signed the following enrolled bills thereof, to-wit:

Nos. 11, 15, 18, 61, 66, 88, 97, 140, 159, 175, 206, 244.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendment:

No. 217. An act in relation to the Northern Indiana Railroad Company.

By Mr. Teegarden, from the committee on Enrolled Bills:

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate No. 109, 19, 199, 213, 151, 170, 98, 87, 130, 145, 196, and 129, with the engrossed, and find them correctly enrolled.

By Mr. Tegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of

the Senate Nos. 30, 139, 99, 141, 32, 156, and 173, with the engrossed, and find them correctly enrolled.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bill of the Senate No. 90, and find it correctly enrolled.

On motion by Mr. Holloway,

The Senate adjourned.

WEDNESDAY MORNING, February 5, 1851.

The Senate met.

Mr. Milliken in the chair.

The reading of the Journal was dispensed with.

REPORTS FROM STANDING COMMITTEES.

By Mr. Reid;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill of the House No. 165, being an act to amend chapter 7, article 1, section 2, of the Revised Statutes, being an act to prevent certain county officers from becoming contractors with the county Boards, have had the same under consideration and have requested me to report the same back to the Senate, having incorporated into said bill the following amendments which your committee were instructed by the Senate to incorporate, and therefore ask to be discharged from all further action thereon.

Which was concurred in and the bill ordered to a third reading.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 238, a bill to authorize the Circuit Courts to certify certain chancery causes to the Supreme Court, have had the same under consideration and directed me to report it back to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 225, an act to authorize Riley Sexton to take a change of venue, have had the same under consideration and directed me to report that in the opinion of your committee legislation on that subject is inexpedient. The indefinite postponement of the bill is therefore respectfully recommended.

Which was concurred in and the bill indefinitely postponed.

By Mr. Reid;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 207, being an act to amend the law governing the writ of ad quod damnum, have had the same under consideration and have instructed me to report the same back to the Senate and request that it be indefinitely postponed.

Which was concurred in and the bill indefinitely postponed.

By Mr. Dunn;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred Senate bill No. 256, have had the same under consideration and directed me to report the same back to the Senate and recommend its passage.

No. 256. A bill in relation to bills of exception.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Harvey;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred the petition of James Elliot, Jr., and others, on the subject of land limitation and homestead exemption, have considered the same and instructed me to report that in the opinion of said committee, legislation on the subject of said petition is inexpedient at this time, and said committee ask to be discharged from the further consideration thereof:

Which was concurred in and the petition laid on the table.

By Mr. Harvey;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill of the House No. 45, entitled an act to amend section one hundred, chapter twelve, of the Revised Statutes of 1843, have considered the same and instructed me to report said bill back to the Senate, and recommend that it be referred to the committee on Finance, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in and the bill referred to committee on Finance.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 265, an act defining the duties of the Governor in certain cases therein named and providing "that when any person shall have been convicted of a capital offence and sentenced to death and shall escape from custody before the day of execution and is subsequently retaken, the Governor upon information shall designate the day for said execution," have had the same under consideration and directed me to report that in the opinion of your committee the law as it is, is much better calculated to protect the rights of the citizen and guard the interest of the public than it would be if the provisions of the aforesaid bill were in force. Your committee therefore respectfully recommend the indefinite postponement of said bill and its subject matter, and ask to be discharged from the further consideration thereof.

Which was concurred in and the bill indefinitely postponed.

By Mr. Dunn ;

MR. PRESIDENT :

The committee on the Judiciary, to whom was referred House bill 190, have had the same under consideration, and directed me to report the same back to the Senate and recommend that said bill be indefinitely postponed.

No. 190. A bill to amend article 1 in chapter 25, of Revised Statutes of 1843, so far as relates to the town of Princetown, in Gibson county.

Which was concurred in and the bill indefinitely postponed.

By Mr. Dunn ;

MR. PRESIDENT :

The committee on the Judiciary to whom was referred bill of the Senate No. 89, have had the same under consideration and have directed me to report the same back without amendment and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.
By Mr. Dunn ;

MR. PRESIDENT :

The committee on the Judiciary, to whom was referred Senate bill No. 210, have had the same under consideration and directed me to report the same back with an amendment and recommend its passage.

No. 210. A bill amendatory of the law of evidence.

Amend by adding to the words "canals, turnpikes" after the word "railroads" in line third ;

Which amendment was adopted.

When,

Mr. Herod moved to indefinitely postpone the bill,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Brugh, Day, Defrees, Delevan, Dole, Eddy, English, Evans, Hamrick, Hanna, Hardin, Herod, Hunt, Kinnard, Knowlton, McCarty, Miller, Niblack, Porter, Sleeth, Teegarden, Winstandley, and Woods—27.

Those who voted in the negative were,

Messrs. Buckles, Cravens, Dunn, Ellis, Graham, Harvey, Henton, Holloway, James, Logan, Marshall, Mickel, Milliken, Odell, and Reid—15.

So the bill was indefinitely postponed.

By Mr. Buckles ;

MR. PRESIDENT :

The Judiciary committee, to whom was referred resolution of the Senate requesting said committee to report to the Senate at their earliest convenience, their action upon so much of the Governor's message referred to said committee as relates to the sale of the Georgia lands to Martin R. Green, have directed me to report, that your committee have not had any definite action upon that subject, nor do they deem it necessary that they should, under existing circumstances. The propriety, therefore, of discharging said committee from the further consideration of that subject is respectfully submitted.

Which was concurred in.
By Mr. Reid ;

MR. PRESIDENT :

The committee on the Judiciary, to whom was referred bill of the Senate, No. 247, have had the same under consideration, and have directed me to report the same back to the Senate with the following amendment, and when adopted, to recommend its passage:

No. 247. A bill for the relief of Michael Graninn, Jr., of Daviess county.

Amend by adding the following proviso to the 1st section:

Provided, The said Michael Graninn, Jr., shall make due proof of the death of the said Michael Graninn, according to the rules governing nuncupative wills, and that it was the wish and desire of the said decedent, at the time of his death, that the said tract of land should descend to the said Michael Graninn ; which proof shall be made in the Daviess Probate Court, in open court, and entered on the records thereof, and on such proof being made, the said court shall order the clerk thereof to issue a certificate of title in favor of the said Michael Graninn, Jr., for said land, which shall be evidence of title to the said Michael Graninn, Jr., his heirs and assigns forever.

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Harvey;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill of the House, No. 307, entitled an act for the further security of decedent's estates in Allen county, have considered the same, and instructed me to report said bill back to the Senate and recommend its indefinite postponement, as in the opinion of said committee further legislation on the subject of said bill is unnecessary.

Which was concurred in and the bill indefinitely postponed.
By Mr. Harvey;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred bill of the House No. 270, entitled an act for the relief of Thomas Decimus Franklyn and others, have had the same under consideration, and directed me to report the said bill back to the Senate without amendment, and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.
By Mr. Reid;

MR. PRESIDENT:

The Judiciary committee, to whom was referred resolution of the Senate, instructing said committee to inquire whether an act entitled an act for defining the duties of petitioners for relocating seats of justice, &c., approved 4th February, 1841, is still in force, and whether there is any law similar in its provisions to the same, have had the same under consideration, and have requested me to report that they are of the opinion that said law is in force, and that there is no other law, similar to the same, in force, enacted since the approval of the aforesaid act, so far as your committee are advised.

Which was concurred in.
By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred the petition of Alexander Sharp and others, praying the Legislature to make the taking of melons and fruits larceny, and punished accordingly, have had the same under consideration, and instructed me to

report that it is inexpedient to legislate on the subject, and ask to be discharged from any further consideration of the subject.

Which was concurred in and the petition laid on the table.
By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred House bill No. 166, an act to reduce the fees of the Clerk of the Probate Court of Knox county, and other purposes, have had the same under consideration, and instructed me to report the same back to the Senate and recommend its indefinite postponement, and ask to be discharged from any further consideration of the subject.

Mr. Graham moved to lay the bill on the table.
Which was decided in the affirmative.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate, No. 190, a bill to amend the several acts in regard to lands mortgaged to the several trust funds, &c., have had the same under consideration, and directed me to report it back to the Senate, with the expression of the opinion, on the part of your committee, that legislation on the subject is inexpedient at this time; the indefinite postponement of said bill and its subject matter is, therefore, respectfully recommended.

Which was concurred in and the bill indefinitely postponed.
By Mr. Buckles;

The Judiciary committee, to whom was referred bill of the House, No. 12, an act to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial, have had the same under consideration, and directed me to report it back and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.
By Mr. Hardin;

MR. PRESIDENT:

The committee on Education, to whom was referred the petition of Jackson P. Bolton and others, of Miami county, praying an amendment to the school law, have had the same under considera-

tion, and have instructed me to report that, in their opinion, to grant the prayer of the petitioners would be inexpedient. They therefore recommend that said petition be laid on the table, and ask to be discharged from the further consideration thereof.

Which was concurred in and the petition laid on the table.

By Mr. Mickle;

MR. PRESIDENT:

The committee on Education, to whom was referred bill of the Senate No. 232, have had that subject under consideration and directed me to report the same back to the Senate with one amendment, and when so amended recommend its passage:

No. 232. A bill to amend the common school law.

Amend as follows:

Strike out the words "any other," where it occurs in the first and third sections, and insert "the German."

Which amendment was adopted and the bill ordered to be engrossed.

By Mr. Holloway;

MR. PRESIDENT:

The committee on Education, to whom was referred bill of the Senate No. 216, entitled an act to amend an act to increase and extend the benefits of common schools, have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

By Mr. Harvey;

MR. PRESIDENT:

The committee on Education, to whom was referred bill of the House No. 188, have considered the same and instructed me to report said bill back to the Senate with one amendment, upon the adoption of which they recommend its passage.

No. 188. A bill to repeal part of the 31st section of an act to increase and extend the benefits of common schools.

Amend the first section by inserting immediately before the word "Hendricks," the word "Johnson."

Which amendment was adopted and the bill ordered to a third reading.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 269, entitled an act to incorporate the Madison Medical Society, at Madison, in the county of Jefferson, have had the same under consideration and instructed me to report it back to the Senate, and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 304, entitled an act to incorporate the Montpelier and Matamoras Plank Road Company, have had the same under consideration, and have instructed me to report the bill back to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred the remonstrance of sundry citizens of St. Joseph county, against the propriety of counties taking Stock in railroads, have had the same under consideration, and directed me to report the same back to the Senate and recommend that the remonstrance be laid on the table.

Which was concurred in and the remonstrance laid on the table.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom had been referred the petitions of numerous citizens of Illinois, Wisconsin, Indiana, and Michigan, protesting against the grant to any Railroad Company, the exclusive right of way around the southern bend of Lake Michigan, have instructed me to report the same back to the Senate and recommend that they should be laid on the table.

Which was concurred in and the petitions laid on the table.

By Mr. Ellis:

MR. PRESIDENT:

The committee on Corporations, to whom had been referred Senate bill No. 228, have instructed me to report the same back to the Senate and recommend its passage:

No. 228. A bill to incorporate the Peru Hotel Company.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations to whom was referred a petition on the subject of a Plank Road from Kirkland to intersect the Peru and Indianapolis Railroad, have directed me to report the same back and recommend that it be laid on the table.

Which was concurred in and the petition laid on the table.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 254, an act to incorporate the Aurora and Hartford Turnpike Company have had the same under consideration, and have instructed me to report it back without amendment, and recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 171, entitled an act to amend an act entitled an act to incorporate the Logansport and Wabash Bridge Company, approved February 7th, 1835, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it be laid on the table.

Which was concurred in and the bill laid on the table.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House

bill No. 152, entitled an act to amend an act entitled an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company, have had the same under consideration, and instructed me to report it back to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time,

When,

Mr. Dunn offered the following amendment:

Strike out the words "Buffalo and Mississippi" wherever they occur in the bill, and insert in lieu thereof "Northern Indiana."

Which amendment was adopted and the bill passed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations to whom was referred the petitions of sundry citizens of Randolph county on the subject of a "Railroad from the western terminus of the Greenville and Miami Railroad to the town of Winchester," have directed me to report the petition back to the Senate and recommend that it be laid on the table;

Which was concurred in, and the petition laid on the table.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 234, entitled, "a bill to amend an act entitled an act to incorporate the Lake Michigan, Logansport and Ohio Railroad Company," have had the same under consideration, and have instructed me to report the bill back to the Senate and recommend that it be laid on the table;

Which was concurred in, and the bill laid on the table.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 274, a bill to incorporate the Indianapolis Gas Light and Coke Company, have had the same under consideration, and have directed me to report it back to the Senate with two amendments and recommend its passage.

Amend in section 3—second line after the word "dollars,"

Provided, That the amount of stock is necessary for the purpose of erecting or carrying on said works, but no stock shall be created for any other purpose than for the purpose herein set forth.

Amend section 5,

Provided, That nothing in this bill shall be so construed as to grant to said Gas Light and Coke Company, the exclusive privilege of furnishing said city with gas for the purposes within named;

Which amendments were adopted,

The rules suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 303, "an act to incorporate the Franklin and Shelbyville Plank Road Company," have had the same under consideration and authorized me to report it back without amendment and recommend its passage;

Which was concurred in, and the bill ordered to a third reading.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 141, entitled, "an act to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved January 15, 1846," have had the same under consideration and directed me to report it to the Senate and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations to which was referred House bill No. 260, "to incorporate the Newburgh and Vanderburgh Railroad Company," have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the Senate No. 180, with pending amendment, have had the same under consideration, and have directed me to report the same back and recommend that it be laid upon the table;

Which was concurred in, and the bill laid on the table.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 266, "to incorporate the Central Michigan Plank Road Company," have had the same under consideration, and have made two amendments thereto, upon the adoption of which, they recommend its passage.

Amend by inserting the words "four hundred" after the word "whenever," in the seventh line of the second section;

Which amendments were adopted and the bill ordered to a third reading.

By Mr. Herod;

MR. PRESIDENT:

The committee on the Benevolent Institutions of the State to whom was referred a resolution of the Senate, directing said committee to enquire into the expediency of enacting a system of registration; *providing*, for the registration of the births, marriages and deaths of the inhabitants of this State, have had the same under consideration, and directed me to report, that in the opinion of said committee, legislation on that subject is not demanded, and is inexpedient at this time—your committee therefore ask to be discharged from the further consideration of that subject.

Which report was concurred in.

FROM SELECT COMMITTEES.

By Mr. Sleeth;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 282, entitled, "an act granting further powers to the township of Law-

renceburgh, in the county of Dearborn, in the State of Indiana," have had the same under consideration, and have directed me to report the same back to the Senate, without amendment and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Hardin;

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 305, in relation to the sale of ardent spirits in the county of Johnson, have had the same under consideration, and have instructed me to report the same to the Senate with one amendment, and upon its adoption recommend its passage;

Amend by striking out first section after the enacting clause, and insert:

That no person shall be liable to any prosecution whatever, for the sale of spirituous or intoxicating liquors by a less quantity than a quart at a time, when such sale is made, bona fide, for medicinal, mechanical or sacramental purposes, only.

Which amendment was adopted, and the bill ordered to a third reading.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills, have compared enrolled bills of the Senate, No. 172, and 187, with the engrossed, and find them correctly enrolled.

Mr. Dunn presented a petition of 100 citizens of Lawrence county, praying that a company be incorporated for the construction of certain plank roads in said county.

Which was referred to a select committee consisting of Messrs. Dunn, Ellis, Niblack, Adams, English, and Alexander.

The following resolutions were introduced:

By Mr. Athon;

Resolved, That the Senate will, the House concurring therein, go into the election of two Commissioners for the Indiana Hospital for the Insane, on Saturday next, at 2 o'clock, P. M.

Which was adopted.

By Mr. Athon;

Resolved, The House concurring therein, That a committee of five be appointed on the part of the Senate, to act with a similar committee in the House, to investigate the charges preferred against the Superintendent and other officers of the Indiana Hospital for the Insane.

Which was adopted, and Messrs. Athon, Eddy, Hinton, Hunt, and Montgomery were appointed on the part of the Senate.

By Mr. Buckles;

Resolved, That the Judiciary Committee be instructed to enquire and report whether, in the opinion of said committee, persons delinquent for the nonpayment of taxes are, in the collection of such delinquent taxes, entitled to the benefit of the exemption laws of the State.

Which was adopted.

The President laid before the Senate the following communication from Mr. Meredith, U. S. Marshall:

MARSHAL'S OFFICE,
Indianapolis, Feb. 14, 1851. }

HON. JAMES H. LANE,

President of the Senate:

SIR—I have this day completed a statistical table of the Seventh Census, from the returns of the Assistant Marshals, arranged under seventy different heads; also a table showing the different denominations of Religious societies: The first table contains the number of inhabitants and statistics of each county in the State, alphabetically arranged; the second table contains the number of Churches of the different denominations, and value of church property of each. Both of which I herewith present to the people of the State of Indiana, through their Representatives, for the purpose of being placed in the State Library.

Please lay this communication before the body which you have the honor to preside over.

Very respectfully,

Your obedient servant,

S. MEREDITH,

U. S. Marshal, District of Indiana.

On motion of Mr. Ellis;

The statistical table was laid upon the table, and 5000 copies ordered to be printed, and distributed with the Laws.

BILLS INTRODUCED.

By Mr. Herod ;

No. 257. A bill fixing the *per diem* pay of members of the General Assembly.

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time, the question being shall the bill pass?

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Cravens, Day, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, English, Evans, Hamrick, Harvey, Henton, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Milliken, Niblack, Odell, Porter, Reid, Teegarden, Turman, and Wood—35.

Those who voted in the negative were,

Messrs. Buckles, Hanna, Hardin, Miller, Montgomery, Sleeth, and Winstandley—7.

So the bill passed.

By Mr. Woods ;

No. 258. A joint resolution authorizing the Governor to transfer to Martin R. Green all title papers for the Georgia lands.

Which was read a first time, the rules suspended, the bill read a second time, and referred to the Committee on claims.

When,

Mr. Dunn moved the following instructions :

And that said committee have power to send for persons and papers, with a view to investigate said claim.

Which were adopted.

By Mr. Hardin ;

No. 259. A bill for the benefit of the Edinburgh and Western Plank Road company;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Herod ;

No. 260. A bill to incorporate the Columbus Plank Road company;

Which was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Niblack ;

No. 261. A bill amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company;

Which was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Harvey ;

No. 262. A bill to legalize certain acts of county Auditors;

Was read a first time, and,

On motion,

The rules were suspended,

The bill read a second time, and,

On motion,

The rules were further suspended,

The bill read a third time and passed.

By Mr. Montgomery ;

No. 263. A bill to amend section 40, part 3, of the Revised Statutes of 1843;

Which was read a first time, the rules suspended, the bill read a second time and referred to the Judiciary committee.

On motion by Mr. Montgomery,

The vote adopting the resolution introduced by Mr. Athon, in reference to appointing a committee on the part of the Senate to examine the charges against the superintendent of the Insane Hospital,

Was reconsidered; when

Mr. Montgomery offered the following amendment :

Said committee shall have power to send for persons and papers, and to examine any person brought before them under oath.

Which amendment was adopted.

The resolution, as amended, was then adopted.

The following message was received from the House by Mr. Bowes, their clerk.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bill thereof. No. 76. "An act to vacate an alley in the town of Bloomington," which I am directed to bring to the Senate for the signature of the President.

Whereupon the President affixed his signature thereto.

The following message was received from the House of Representatives by Mr. Bowes, their clerk :

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the amendments of the Senate to the following bills thereof:

No. 214. An act extending the provisions of an act therein named to the 11th judicial circuit.

No. 229. An act to amend an act entitled "an act to incorporate the Indianapolis and Springfield Plank Road company," approved Jan. 19, 1850.

No. 230. An act to repeal an act therein named.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendment:

No. 66. An act to incorporate the Winchester and Greenville Railroad company.

On motion by Mr. Winstandley,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Milliken in the chair.

ORDERS OF THE DAY.

Bills on Third Reading.

No. 148. A joint resolution of the Senate in relation to the pay of Austin H. Brown, printer to the Constitutional Convention of this State;

Was read a third time and passed.

House Bills.

No. 62. A bill to abolish the office of Superintendent of the work on the State prison, and for other purposes;

Was read a third time and passed.

No. 86. A bill authorizing Cyrus Taber and Allen Hamilton to build a dam across the Wabash river, in Cass county;

Was read a third time, and

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Brugh, Cravens, Delevan, Defrees, Dunn, Eddy, Ellis, English, Evans, Goodman, Graham, Hardin, Harvey, Herod, Holloway, Hunt, James, Kinnard, Knowlton, Marshall, McCarty, Odell, Porter, Walker and Winstandley—28.

Those who voted in the negative were.

Messrs. Day, Hamrick, Hanna, Henton, Mickle, Milliken, Montgomery, and Niblack—8.

So the bill passed.

No. 107. A bill relative to elections of Prosecuting Attorneys;
Was read a third time and passed.

No. 135. A bill to incorporate the Millikin Mill and Junction Plank or Clay Turnpike Road Company;

Was read a third time and passed.

No. 168. A bill to authorize the Lafayette Insurance Company to increase their capital stock;

Was read a third time and passed.

No. 180. A bill to repeal a certain act therein named, so far as it relates to Grant county, and to revive certain other acts;

Was read a third time and passed.

No. 186. A bill defining the boundary of Laporte, Porter, and Lake counties;

Was read a third time and passed.

No. 193. A bill to authorize the election of a County Surveyor in Greene county;

Was read a third time and passed.

No. 204. A bill to incorporate the Washington and Maysville Plank Road Company in the county of Daviess;

Was a third time and passed.

No. 213. A bill to incorporate the Central Plank Road Company of Vanderburgh county;

Was read a third time and passed.

No. 233. A bill for the relief of the heirs of Elizabeth Batner, late of Dearborn county, Indiana, but now deceased;

Was read a third time and passed.

No. 239. A bill to give County Treasurers till the 1st of April, 1851, to make settlements with the Auditor of State;

Was read a third time and passed.

No. 254. A bill for the sale of the public square of Evansville, and the application of its proceeds to the erection of new county buildings for Vanderburgh county;

Was read a third time and passed.

No. 255. A bill to incorporate a Fire Engine Company at North Madison;

Was read a third time and passed.

No. 258. A bill to extend the powers of the Board of Commissioners of Delaware county;

Was read a third time and passed.

No. 259. A bill to amend an act regulating the time of holding Probate Courts in the county of Tipton;

Was read a third time and passed.

No. 271. A bill limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph;

Was read a third time and passed.

No. 308. A bill to amend an act entitled an act to prohibit the sale of spirituous liquors in Adams, Fall Creek, and Anderson townships, in Madison county, by a less quantity than thirty gallons, approved January 17th, 1849.

Was read a third time and passed.

No. 345. A bill defining the duties of the Treasurer of Morgan county;

Was read a third time and passed.

SENATE BILLS ON SECOND READING.

No. 246. A bill for the repeal of a portion of a certain act therein named;

Was read a second time, when,

On motion by Mr. Harvey;

The bill was laid on the table.

No. 222. A bill for the relief of John H. Cutter, surviving partner of B. G. Cutter & Co;

Was read a second time, when

Mr. Hanna moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Day, Delevan, Hamrick, Hanna, Hunt, Kinnard, Knowlton, Miller, and Teegarden—10.

Those who voted in the negative were,

Messrs. Allen, Athon, Cravens, Defrees, Dole, Dunn, Eddy, Ellis, English, Evans, Goodman, Hardin, Harvey, Henton, Herod, Hollo-

way, James, Marshall, McCarty, Mickle, Milliken, Niblack, Odell, Porter, Sleeth, Turman, Walker, Winsteadley, and Woods—29.

So the bill was not indefinitely postponed.

Mr. Hanna offered the following amendment:

Provided, That said bond shall not be transferable.

Mr. Dunn moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Cravens, Day, Defrees, Dole, Dunn, Eddy, Ellis, English, Evans, Graham, Hamrick, Hardin, Harvey, Henton, Herod, Holloway, Hunt, James, Knowlton, Marshall, McCarty, Mickle, Milliken, Niblack, Odell, Porter, Sleeth, Turman, Walker, Winsteadley, and Woods—33.

Those who voted in the negative were,

Messrs. Adams, Delevan, Hanna, Kinnard, Miller, and Teegarden—6.

So the amendment was laid on the table,

The rules suspended, the bill read a third time and passed.

No. 223. A bill to authorize certain school districts in Adams county to draw their proportion of the common school fund;

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 224. A bill for the relief of E. W. H. Ellis and John S. Spann, assignees of Jacob P. Chapman, State Printer;

Was read a second time and,

On motion by Mr. Holloway,

The bill was laid on the table.

No. 225. A bill to change the name of Howard Allen to Howard Werts;

Was read a second time and ordered to be engrossed.

No. 230. A bill to amend an act entitled an act, approved 16th January, 1850, in relation to the distribution of the laws of this State;

Was read a second time and referred to the committee on Finance.

No. 237. A bill to incorporate the Lafayette, Michigan City and Chicago Railroad Company;

Was read a second time and referred to the committee on Corporations.

House Bills on Second reading.

No. 151. A bill to amend the charter of the town of Terre Haute;

Was read a second time and referred to the committee on Corporations.

No. 245. A bill to amend the general road law, approved Jan. 16, 1849, so far as the same relates to the county of Cass;

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 250. A bill to authorize the inhabitants of school district No. 2, in township No. 36, range 3 west, in Laporte county, to levy an additional school tax;

Was read a second time, and,

On motion,

The rules were suspended, the bill read a third time and passed.

No. 252. A bill to repeal the first thirteen sections of chapter 50 of the Revised Statutes of 1843, so far as relates to the counties of — and Greene;

Was read a second time, and

On motion,

The rules were suspended, the bill read a third time and passed.

No. 275. A bill to change a portion of a certain State road therein named, in the counties of Boone and Hamilton;

Was read a second time, and ordered to a third reading.

No. 280. A bill to regulate the issuing of executions and fee bills in the several circuits in the counties of Marion, Dearborn and Daviess, upon which no executions has issued for three years from the rendition thereof, and when fees have not been collected for three years from the termination of the suit in which the same is taxed;

Was read a second time, when,

On motion,

The counties of Lawrence, Union, Fayette, Martin and Blackford were added to the provisions of the bill.

Mr. Harvey moved to amend by inserting the words "or believes" after the word "knows," in first section;

Which was adopted.

The rules were suspended, the bill read a third time and passed.

On motion,

The title of the bill was amended by adding the counties of Lawrence, Union, Fayette, Martin and Blackford.

No. 298. A bill authorizing the administrator and widow of Josiah F. Oakes, deceased, to execute certain deeds of quit claim;

Was read a second time and ordered to a third reading.

No. 313. A bill authorizing certain persons therein named to erect a toll bridge across the west fork of White river, at or near the falls, in Morgan county;

Was read a second time and ordered to a third reading.

No. 324. A bill to authorize the election of a supervisor of roads in Laurel township, in Franklin county;

Was read a second time and ordered to a third reading.

No. 326. A bill to change the name of the town of Portland, in Hancock county, to that of Cleveland, and to incorporate the same;

Was read a second time, and ordered to a third reading.

No. 357. A bill to vacate a part of Gilmer's addition to the village of Angola, in Steuben county;

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 370. A bill to amend an act entitled "an act to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio and other States;

Was read a second time, the rules suspended, the bill read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with two amendments:

No. 83. An act to incorporate the Covington and Danville Plank Road company;

In which amendments the concurrence of the Senate is respectfully requested;

And the amendments concurred in by the Senate.

Mr. Niblack asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on Corporations, to whom had been referred Senate bill No. 261, have instructed me to report the same to the Senate and recommend its passage.

No. 261. A bill amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company;

Which was concurred in, and the bill ordered to be engrossed.

The following message was received from the House of Representatives, was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the House has concurred in the resolution of the Senate, and am directed herewith to return to the Senate bill of the Senate.

No. 150. An act providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State:

When,

On motion by Mr. Niblack,

The vote taken on the passage of the bill was reconsidered, and

On motion by Mr. Harvey,

Laid on the table.

Mr. Eddy made the following report from the committee on Corporations:

MR. PRESIDENT:

The committee on Corporations to whom was referred Senate bill No. 260, entitled a bill to incorporate the "Columbus Plank Road Company," have had the same under consideration, and directed me to report the same back and recommend its passage with the following amendment:

Amend by adding the following section:

SEC. 10. That the third, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections of an act authorizing the construction of Plank roads, approved January 15, 1849, shall be and the same are hereby made a part of this act, and the charter of the said Columbus Plank road company;

Which amendment was adopted,

The rules suspended, the bill read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insists upon the engrossed amendments thereof to engrossed bill of the Senate:

No. 103. An act to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention;

The question being does the Senate adhere to their disagreement to the engrossed amendment of the House,

It was decided in the affirmative.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof, to-wit:

No. 133. An act to extend the Martinsville and Franklin Railroad via Spencer in Owen county to the Wabash and Erie Canal.

No. 153. An act for the relief of Dempsey Linton.

No. 177. An act explanatory of an act entitled "an act for the relief of widows whose husbands die intestate without any heirs lineally descended from them," approved January 19, 1850.

No. 296. An act to incorporate the Grape Vine Marsh Plank Road Company.

No. 321. An act to incorporate the Wabash and Marion Plank Road Company.

No. 350. An act to amend an act entitled "an act to incorporate the town of Peru," approved February 14, 1848.

No. 257. An act to amend the charter of the Central Plank Road Company.

No. 358. An act to incorporate the Vernon Life, Trust, Trading and Manufacturing Company.

No. 374. An act to extend the provisions of an act to enable the qualified voters of district No. 4, in town No. 31, north of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house, approved January 21, 1850, to the several districts in Fulton county.

No. 375. An act for the benefit of the Indiana Hospital for the Insane.

No. 377. A joint resolution suspending the operation of a certain act therein named.

No. 278. An act for the relief of the Terre Haute and Richmond Railroad Company, and the Indiana Central Railway Company.

No. 379. An act to legalize certain roads in Clinton county.

No. 380. An act for the relief of Harmon N. Kress of Clay county.

No. 381. An act to amend an act entitled "an act to incorporate the Richmond and Boston Turnpike Company," approved February 15, 1839;

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message Nos. 133, 153, 374, 379 and 380,

Were severally read a first time and passed to a second reading.

No. 257 was read a first time, the rules suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Hamrick, Harvey and McCarty.

No. 177 was read a first time, the rules suspended, the bill read a second time, and referred to the Judiciary committee.

Nos. 278, 296, 350, 321 and 381,

Were severally read a first time, the rules suspended, the bills read a second time and referred to the committee on Corporations.

No. 358 was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and, Referred to Senators Herod, Hardin and Sleeth.

No. 375 was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and, Referred to the committee on Benevolent Institutions.

No. 377 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Knowlton, Woods and Marshall.

The following message was received from his Excellency the Governor, by Mr. Noel, his Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 169. An act to annex the town of Belleville, in the county of Posey, to the town of Mt. Vernon.

No. 104. An act establishing an additional place of holding elections in Silver Creek township, in Clark county.

No. 96. An act to legalize the doings and proceedings of the Alton, Mt. Carmel and New Albany Railroad Company, and for other purposes.

No. 93. An act to repeal an act therein named.

No. 73. An act to amend an act to incorporate the Ohio River and Princeton Plank Road Company.

No. 64. An act locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes.

No. 46. A joint resolution upon the subject of lands for school purposes.

No. 87. An act for the benefit of the Martinsville and Franklin Railroad Company.

No. 213. An act to change the name of Anne Able, of Martin county, to Anne Henderson.

No. 196. An act to amend an act entitled an act to incorporate the West Delphi Bridge Company, approved February 15, 1838, and an act entitled an act to amend said act, approved January 23, 1847.

No. 199. An act to amend an act entitled an act to establish a certain State road therein named, approved February 16, 1848.

No. 151. An act to incorporate the town of New Winchester, in Hendricks county.

No. 19. An act to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849.

No. 170. An act to amend an act entitled an act to incorporate the Crawfordsville and Wabash Railroad Company, approved January 19, 1846, and the acts amendatory thereto.

No. 84. A preamble and act to amend an act entitled an act to incorporate the Indiana Canal Company, approved December 6, 1848, and the amendment thereto, approved January 17, 1849.

No. 90. An act to incorporate the Ohio and Wabash Plank Road Company.

No. 98. An act to incorporate the town of Pendleton, in Madison county.

No. 109. An act to incorporate the Plainfield Seminary.

No. 129. An act for the construction of a sewer at the State's Prison.

No. 130. An act declaring Mill creek, in Morgan county, a public highway.

No. 145. An act to vacate a portion of a certain State road.

No. 30. An act relative to the Clark county Central Plank Road Company.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has reciprocated the resolution of the Senate in regard to the appointment of a committee of five on the part of the Senate, to act with a similar committee on the part of the House, to investigate the charges preferred against the Superintendent and other officers of the Indiana Hospital for the Insane, &c., and that Messrs. Graff, Hosbrook, Williamson, Crawford, Lewis and Hutchinson have been appointed said committee on the part of the House.

Report, by Mr. Teegarden, from the committee on Enrolled Bills:

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 114, 56, and 179, with the engrossed, and find them correctly enrolled.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendment of the Senate to a resolution of the House providing for the adjournment *sine die* of both houses of the General Assembly, with one amendment:

Strike out the 17th and insert the 13th.

In which amendment the concurrence of the Senate is respectfully requested.

Mr. Marshall moved to lay the resolution and amendment on the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Berry, Brugh, Ellis, English, Evans, Graham, Hamrick, Holloway, Kinnard, Marshall, McCarty, Mickle, Montgomery, Turman, Winstandley and Woods—16.

Those who voted in the negative were,

Messrs. Adams, Allen, Athon, Buckles, Cravens, Defrees, Delevan, Dunn, Eddy, Goodman, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Knowlton, Miller, Milliken, Niblack, Odell, Porter, Reid, Sleeth, Teegarden, and Walker—27.

So they were not laid on the table.

Mr. Berry moved to defer the further consideration of the subject until the 13th inst.

Which was decided in the negative.

The question being on concurring in the amendment of the House, The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Buckles, Cravens, Delevan, Defrees, Dunn, Eddy, Ellis, Evans, Goodman, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Kinnard, Knowlton, Mickle, Miller, Milliken, Montgomery, Niblack, Odell, Porter, Reid, Sleeth, Teegarden, and Walker,—31.

Those who voted in the negative were,

Messrs. Athon, Berry, Brugh, Dole, English, Graham Hamrick, Herod, Marshall, McCarty, Turman, Winstandley, and Woods—13.

So the amendment was concurred in.

Mr. Mickle moved to reconsider the vote taken on concurring in the amendment of the House.

Mr. English moved that the Senate adjourn.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Berry, Brugh, Dole, English, Evans, Holloway, Kinnard, Marshall, Milliken, Montgomery, Niblack, Odell, Porter, Turman, Winstandley, and Woods—17.

Those who voted in the negative were,

Messrs. Adams, Allen, Buckles, Cravens, Defrees, Delevan, Dunn, Eddy, Ellis, Goodman, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Herod, Hunt, James, Knowlton, McCarty, Mickle, Miller, Reid, Sleeth, Teegarden, and Walker—27.

So the Senate did not adjourn.

Mr. Harvey moved to lay the motion to reconsider on the table,

Pending which,

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House recedes from the engrossed amendment thereof to engrossed amendment of the Senate to bill of the House, to-wit:

No. 24. An act to amend the charter of the Evansville and Illinois Railroad Company.

On motion by Mr. Marshall,
The Senate adjourned.

THURSDAY MORNING, February 6, 1851.

The Senate met.

Mr. Milliken in the chair.

On motion,
The reading of the Journal was dispensed with.

PETITIONS INTRODUCED.

By Mr. Defrees ;

A petition praying for a Homestead Exemption ;
Which,

On motion by Mr. Mickle,
Was laid on the table.

By Mr. Berry ;

A petition praying a relocation of the county seat of Franklin county ;

Was referred to Senators Berry, Reid and Holloway.

By Mr. Odell ;

A petition in reference to the common school laws ;
Which was referred to the committee on Education.

By Mr. Mickle ;

A remonstrance from citizens of Wells county ;
Which,

On motion,
Was laid on the table.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate, to go into the election of two Commissioners for the Indiana Hospital for the Insane, on Saturday next, at two o'clock, P. M.

Also, the following message was received from the House of Representatives :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof, to-wit :

No. 201, 179, 163, 162, 161, 139 and 31.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed the following engrossed bills of the Senate :

No. 53. An act to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to the county of Miami.

No. 75. An act to amend an act entitled an act to incorporate the Bedford Insurance company, approved Feb. 8, 1836, and to change the name of said company.

No. 76. An act to amend the charter of the Madison Insurance company.

No. 81. An act to repeal an act therein named, relative to the election of County Prosecutor.

No. 119. An act to incorporate the Goshen and Plymouth Plank Road company.

No. 123. An act to incorporate the New Trenton and Southgate Bridge and Road company.

No. 124. An act to amend the act to incorporate the Brookville and Connersville Turnpike company.

No. 136. An act for the relief of Ann Blythestone, of Allen county.

No. 137. An act to relocate a State road in DeKalb county.

No. 144. An act to amend an act entitled an act to incorporate the Connersville and Brownsville Turnpike company, approved January 16, 1849.

No. 146. A joint resolution on the subject of the sale of the northern division of the Central Canal.

No. 153. An act to incorporate the Evansville Hotel company.

No. 155. An act to amend an act entitled an act to incorporate the Wayne county Turnpike company, approved December 5th, 1848.

No. 175. An act to amend an act to incorporate the Lafayette Plank Road company, approved January 3, 1849.

No. 176. An act declaring certain laws in force in the counties of DeKalb, Noble and Steuben.

No. 178. An act to prevent the consolidation of indictments in certain cases, in Dearborn county.

No. 183. An act declaring a part of Poison Creek in Perry county a public highway.

No. 185. An act to locate a State road from Doverhill, in Martin county, to Bloomington, in Monroe county.

No. 186. A joint resolution in relation to the World's Fair.

No. 191. An act to amend an act entitled an act to incorporate the town of Clinton in Vermillion county, approved February 14th, 1848.

No. 193. An act to fix a tax on a Museum in Lafayette.

No. 194. An act legalizing an order for the publication of the delinquent list for the year 1850, in DeKalb county.

No. 195. An act in relation to streets and allees in the town of Lexington, in Scott county.

No. 209. An act for the relief of Hezekiah A. Sutton, of Jackson county.

No. 221. An act to amend the charter of the town of Bloomington, in the county of Monroe.

No. 226. An act to locate and establish a State road, in the counties of Allen and Adams.

No. 240. An act to incorporate the town of Bluffton, in Wells county, Indiana.

Without amendment.

REPORTS FROM STANDING COMMITTEES.

By Mr. Marshall;

MR. PRESIDENT:

The Judiciary committee, to whom was referred the bill of the Senate No. 250, have had that subject under consideration, and directed me to report the same back to the Senate and recommend its indefinite postponement.

No. 250. A bill in relation to attorneys prosecuting the pleas of the State;

Which,

On motion by Mr. Dunn,
Was laid on the table.

By Mr. Adams;

MR. PRESIDENT:

The committee on Military Affairs, to whom was referred a resolution of the Senate in relation to a law exempting military officers

from their oath of office as to training their regiments and companies, have had the same under consideration, and directed me to report that in the opinion of said committee, it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration of said subject.

Which was concurred in.

By Mr. Porter;

MR. PRESIDENT:

The committee on Roads, to whom was referred bill of the House No. 306, entitled an act to amend an act entitled an act to compel non-residents to pay a road tax equal to that paid by residents, in the county of Whitley, approved January 14th, 1850, have had the same under consideration, and have directed me to report the same back to the Senate without amendment and recommend its passage

Which was concurred in and the bill ordered to a third reading.

By Mr. Porter;

MR. PRESIDENT:

The committee on Roads, to whom was referred bill of the House No. 276, have had the same under consideration, and directed me to report it back to the Senate with the following amendment, and when said amendment is adopted, recommend the passage of said bill.

No. 276. A bill for the better improvement of highways in the counties of Carroll and Delaware.

Amend by adding to the second section the following proviso:

Provided, however, That nothing in this section shall be so construed as to apply any of its provisions to the county of Delaware.

Which amendment was adopted, and the bill ordered to a third reading.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bill of the Senate No. 217 with the engrossed, and find it correctly enrolled.

By Mr. English;

MR. PRESIDENT:

The committee on Claims, to whom was referred the memorial of

F. T. Butler, have had the same under consideration, and directed me to report the same back and ask to withdraw the memorial, and ask to be discharged from the further consideration thereof.

Which was concurred in.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 251, entitled "a bill to amend an act incorporating the Wabash Manual Labor College and Teachers' Seminary," have had the same under consideration, and directed me to report it to the Senate and recommend its passage upon the adoption of the following amendment:

Amend by striking out the word "each" in the sixth line of section four.

Which amendment was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Winsteadley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 279, entitled "a bill to incorporate the Blountsville, Smithfield, and Montpelier Plank Road Company," have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate:

Nos. 70, 55, 162, 118, 121, 38, 92, 79, 132, 131, 95, 80, 173, 156, 99, 139, and 32.

Which I am directed to bring to the Senate for the signature of the President thereof.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the

Senate No. 117, entitled a bill to authorize the Madison and Indianapolis Railroad Company to change the location of part of said road, have had that subject under consideration, and have directed me to report the same back with one amendment, and when so amended, to recommend its passage.

Strike out from the enacting clause and insert the following:

SEC. 1. That the Madison and Indianapolis Railroad Company be, and the same is hereby authorized, at any time, and from time to time, to change the line of any part of said road, and to re-locate and construct the same. *Provided*, That the rights hereby granted said company shall not be exercised until after the said company becomes the owner of the State's interest in the part of said road finished by her.

SEC. 2. That in locating and constructing said line, said company shall be governed in all things by the laws under which said road was originally constructed, and be entitled to all the privileges and immunities thereby granted.

This act to be a public act, and in force from and after its passage.

Which amendments were adopted.

Mr. Herod offered the following amendment:

Provided, That nothing herein contained shall be so construed as to authorize said company, in re-locating said road, to deviate from any town through which the same now passes, except in the county of Jefferson.

Mr. English moved to strike out all after the word "passes."

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Brugh, Cravens, Day, English, Hamrick, Hardin, Kinnard, Logan, Mickle, Niblack, Reid, Teegarden, and Turman—15.

Those who voted in the negative were,

Messrs. Adams, Defrees, Delevan, Dunn, Eddy, Ellis, Evans, Hanna, Harvey, Henton, Herod, Holloway, Hunt, James, Knowlton, Marshall, McCarty, Miller, Milliken, Montgomery, Porter, Sleeth, and Woods—23.

So it was not stricken out.

The amendment was then adopted.

Mr. Reid offered the following amendment:

SEC. —. And which purchase and sale of said interest shall be duly ratified by the Legislature before said re-location.

Mr. Ellis moved to lay the amendment on the table.
The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Dole, Ellis, Hanna, Henton, Herod, Holloway, James, Knowlton, Marshall, McCarty, Montgomery, and Winstandley—13.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Bugh, Buckles, Cravens, Day, Delevan, Dunn, English, Evans, Goodman, Hamrick, Hardin, Hunt, Kinnard, Logan, Mickle, Miller, Niblack, Porter, Reid, Sleeth, Teegarden, Turman, and Woods—28.

So the amendment was not laid on the table.

Mr. Marshall offered the following amendment to the amendment:
No confirmation or ratification shall be necessary in case the specific amount of the purchase or consideration shall have been determined by the General Assembly, authorizing the sale; nor in case of the redemption provided for under the original charter.

Which,

On motion by Mr. Reid,
Was laid on the table.

Mr. Hanna moved to re-commit with the following instructions:

To strike out the words "part of" in next to the last line of the 1st section, and the words "finished by her" in the last line of said section, and add the following:

Provided, That this act shall not be so construed as to vest in said company any rights under it until after said company shall have purchased all the interest of the State in every portion of said railroad, nor shall the interest of the State be prejudiced or lessened in said road by this act.

When,

On motion by Mr. Marshall,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Milliken in the chair.

Mr. Eddy presented the following bill:

No. 264. A bill for the relief of Daniel Stowell, of St. Joseph county;

Was read a first time, the rules suspended, the bill read a second time, and referred to the Judiciary Committee.

Mr. Herod made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred House bill, No. 358, entitled an act to incorporate the Vernon Life, Trust, Trading and Manufacturing Company, have had the same under consideration, have made one amendment thereto, and direct me to report the same back to the Senate, and after the adoption thereof, to recommend its passage.

Amend the 3d section, 11th line, by inserting "not exceeding six per cent. per annum."

Which amendment was concurred in, the rules suspended, the bill read a third time and passed.

ORDERS OF THE DAY.

Senate Bills on third reading.

No. 89. A bill to repeal section 17, of article 2, chapter 31, of the Revised Statutes of 1843.

Was read a third time,

When,

On motion by Mr. Hardin;

The bill was laid on the table.

No. 225. A bill to change the name of Howard Allen, to Howard Werts;

Was read a third time and passed.

No. 232. A bill to amend the common school law;

Was read a third time, and passed.

No. 254. A bill to incorporate the Aurora and Hartford Turnpike Company;

Was read a third time, and passed.

No. 261. A bill amendatory of an act entitled "an act to incorporate the Ohio and Mississippi Railroad company;

Was read a third time and passed.

The President laid before the Senate the following communication from the Governor:

HON. JAMES H. LANE,

President of the Senate:

You will please lay before the Senate, the enclosed report of the Agent of State.

JOS. A. WRIGHT.

Which report,

On motion by Mr. Niblack,

Was laid on the table, and 500 copies ordered to be printed.

HOUSE BILLS ON THIRD READING.

No. 12. A bill to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing coroners to pay the expenses of inquest and burial;

Was read a third time and passed.

No. 165. A bill to amend chapter 7, article 1, section 2, of the Revised Code;

Was read a third time and passed.

No. 188. A bill to repeal part of the 31st section of an act to increase and extend the benefit of common Schools;

Was read a third time and passed.

No. 216. A bill to amend an act to increase and extend the benefit of common schools;

Was read a third time and passed.

No. 266. A bill to incorporate the Central Michigan Plank Road company;

Was read a third time and passed.

No. 275. A bill to change a portion of a certain State road therein named, in the counties of Boone and Hamilton;

Was read a third time and passed.

No. 298. A bill to authorize the administrator and widow of Josiah F. Oakes, deceased, to execute certain deeds of quit claim;

Was read a third time and passed.

No. 303. A bill to incorporate the Franklin and Shelbyville Plank Road Company.

Was read a third time,

When,

Mr. Hardin offered the following amendment:

Amend 17th section by adding at the end thereof,

Provided, further, That no toll gate shall be established within

one mile of the court house of said town of Franklin and Shelbyville.

Which amendment was adopted and the bill passed.

No. 305. A bill in relation to the sale of spiritous liquors in Johnson county,

Was read a third time and passed.

When,

On motion by Mr. Hardin,

The bill was amended by striking out Johnson county.

No. 313. A bill authorizing certain persons therein named to erect a toll bridge across the west fork of White river, at or near the falls, in Morgan county.

Was read a third time and passed.

No. 324. A bill to authorize the election of a supervisor of roads in Laurel township, in Franklin county.

Was read a third time and passed.

No. 326. A bill to change the name of the town of Portland, in Hancock county, to that of Cleveland, and to incorporate the same.

Was read a third time and passed.

HOUSE BILLS ON SECOND READING.

No. 133. A bill to extend the Martinsville and Franklin Railroad, via Spencer, in Owen county, to the Wabash and Erie Canal.

Was read a second time and,

On motion by Mr. Holloway,

Referred to the committee on Corporations.

No. 153. A bill for the relief of Dempsey Linton;

Was read a second time and,

On motion,

The rules were suspended, the bill read a third time and passed.

No. 374. A bill to extend the provisions of an act to enable the qualified voters of district No. 4, in town No. 31, north of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house, approved January 21st, 1850, to the several school districts in Fulton county;

Was read a second time and ordered to a third reading.

No. 379. A bill to legalize certain roads in Clinton county;

Was read a second time and,

On motion,

The rules were suspended, the bill read a third time and passed.

No. 380. A bill for the relief of Harmon N. Kress, of Clay county;

Was read a second time and,

On motion,

Laid on the table.

The Senate resumed the consideration of the question pending on the adjournment yesterday.

The question being to lay the motion of Mr. Mickle on the table,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Brugh, Delevan, Dole, Dunn, English, Hamrick, Hanna, Harvey, Henton, Herod, Hunt, James, Knowlton, Miller, Milliken, Montgomery, Niblack, Porter, Sleeth, Teegarden, Turman, Winstandley, and Woods—25.

Those who voted in the negative were,

Messrs. Athon, Berry, Cravens Day, Eddy, Ellis, Evans, Goodman, Hardin, Holloway, Kinnard, Logan, Marshall, McCarty, Mickle, Odell, and Reid—17.

So the motion was laid on the table.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following bills of the House, to-wit:

No. 125. An act enabling persons sustaining damages by the construction of the Wabash and Erie Canal to have their damages assessed without further delay, and for the more convenient service of process on the trustees of said canal.

No. 160. An act for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana.

No. 228. An act providing for the annexation of Lamasco to Evansville.

No. 287. An act to locate a State road from Bennetsville, in Clark county, to Salem, in Washington county.

No. 293. An act to incorporate the Albion and Lisbon Turnpike Company.

No. 294. An act to repeal an act therein named.

No. 301. An act to authorize the construction of a mill-dam across the Tippecanoe river, in White county.

No. 309. An act to fix the compensation of Clerks of the Circuit Court in cases of naturalization, in the 12th Judicial circuit.

No. 316. A bill to authorize the superintendent of common schools to publish and distribute the school law of 1849.

No. 337. An act to extend an act entitled an act to authorize the sheriff of Lawrence county to serve process issued by justices of the peace in certain cases in the county of Owen.

No. 340. An act to change the time of holding probate courts in the county of Jasper.

No. 344. An act to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts.

No. 367. An act to repeal certain acts therein named, and for other purposes, in Allen county.

No. 385. An act providing for electing township assessors in Rush county.

No. 389. An act to incorporate the German Support Society of Jefferson county.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message, Nos. 125, 293, 309, 316, 337, 344, 385, and 389 were severally read a first time and passed to a second reading.

Nos. 340 and 367 were read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 160 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Finance.

No. 228. A bill providing for the annexation of Lamasco to Evansville;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Corporations.

No. 287 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Cravens, Athon and Winstandley.

No. 294 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

No. 301 was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Montgomery, Odell and Turman.

On motion by Mr. Athon,

Leave of absence was granted to the committee appointed on the part of the Senate to examine into the charges preferred against the Superintendent of the Insane Hospital.

The following message from the House of Representatives was taken up:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House adheres to the engrossed amendment of the House to engrossed bill of the Senate,

No. 103. An act to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention.

And that Messrs. Usher and Brown of Shelby have been appointed a committee of free conference on the part of the House.

On motion by Mr. Hardin,

The Senate insists upon their disagreement to the engrossed amendment of the House, and Messrs. English and Ellis were appointed a committee of free conference on the part of the Senate.

The following message from the House of Representatives was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

No. 314. An act to change the time of holding the circuit courts in the thirteenth judicial circuit.

In which the concurrence of the Senate is respectfully requested.

No. 314 contained in the message, was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Berry, Milliken and Knowlton.

The following message from the House was taken up:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with one amendment:

No. 188. An act to amend an act entitled an act to incorporate the Moors Hill and Aurora Turnpike Company, approved February 15, 1848.

In which amendment the concurrence of the senate is respectfully requested.

Which amendment was concurred in.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

No. 387. An act for the relief of John J. Cummins.

In which the concurrence of the Senate is respectfully requested.

No. 387; which was read a first time, and

On motion,

The rules were suspended, the bill read a second time and

On motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Ellis introduced the following bill:

No. 265. A bill to incorporate the Central Canal Manufacturing, Hydraulic and Water Works Company;

Was read a first time, the rules suspended, the bill read a second time and referred to the committee on Corporations.

Leave being granted,

Mr. Ellis submitted the following report :

MR. PRESIDENT :

The committee on Corporations to whom had been referred the memorial of the Madison and Indianapolis Railroad Company, have instructed me to report to the Senate for their consideration the following joint resolution:

No. 266. A joint resolution in relation to the interest of the State in the Madison and Indianapolis Railroad;

Which was read a first time, the rules suspended, the joint resolution read a second time and referred to the committee on Finance.

Mr. Graham moved to reconsider the vote referring the joint resolution.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Cravens, Defrees, Dole, Dunn, Ellis, Graham, Harvey, Herod, Holloway, James, Knowlton, Marshall, McCarty, Milliken, Niblack, Teegarden, Turman, Winstandley and Woods—19.

Those who voted in the negative were,

Messrs. Adams, Allen, Berry, Brugh, Buckles, Day, Delevan,

English, Goodman, Hamrick, Hanna, Hardin, Kinnard, Logan, Mickle, Miller, Porter, Reid and Walker—19.

So the motion did not prevail.

Leave being granted,

Mr. Graham offered the following resolution:

Resolved, That the use of the Senate Chamber be given this evening to Miss Fanny Lee Townsend, for the purpose of lecturing on the cholera;

Which was adopted.

The President laid before the Senate the following communication from the Constitutional Convention:

CONSTITUTIONAL CONVENTION, }
February 6, 1851.

Hon. J. H. Lane,

President of the Senate:

SIR:—I have the honor to inform you, that the following resolution was this day adopted by the Convention:

Resolved, That, each member of the General Assembly be authorized to receive a copy each of the Legislative Journal and Journal of Debates of this Convention.

Respectfully,

WM. H. ENGLISH, *Secretary*.

P. G. L. SITES, *Assistant Secretary*.

Mr. Holloway made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of sundry citizens of Jefferson township, in Wayne county, in relation to sale of spirituous liquors in said township, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 267. A bill in relation to the sale of spirituous liquors in Jefferson township, in Wayne county;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Teegarden, from the committee on Enrolled Bills;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate No. 68 and 75 with the engrossed, and find them correctly enrolled.

The following message was received from the House, by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bills of the Senate, to-wit:

Nos. 217, 192, 56, 179, 114, 53 and 187;

Which I am directed to bring to the Senate for the signature of the President thereof.

Report by Mr. Hamrick from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 257, have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage:

No. 257. A bill to amend the charter of the Central Plank Road Company;

Was read a first time, the rules suspended, and the bill read a second time.

Mr. Hanna offered the following amendment:

Provided, That said company shall not be permitted to erect or maintain any toll gates, within three miles of the City of Indianapolis, on the west or east.

Mr. Hamrick moved to lay the amendment on the table;

Which was decided in the negative.

Mr. Dole moved to refer the bill to the committee on Corporations.

Mr. English moved the Senate adjourn;

Which was decided in the negative.

Mr. Woods moved that the Senate adjourn;

Which was decided in the negative.

The question being on referring the bill ;

It was decided in the negative.

The question recurring on the adoption of the amendment ;

It was adopted.

The rules were then suspended, the bill read a third time and passed.

On motion by Mr. Miller,

The Senate adjourned.

FRIDAY MORNING, February 7, 1851.

The Senate met.

The President in the chair.

Reading the Journal dispensed with.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof, to-wit:

Nos. 319, 60, 331, 198, 126, and 264.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

The following message was received from his Excellency, the Governor, by his Private Secretary, Mr. Noel:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following bills:

No. 80. An act to re-organize the Evansville Insurance Companies, chartered under the several acts of February 8th, 1836, and January 21st, 1850.

No. 32. An act to amend an act entitled "an act to incorporate the Hamilton Manufacturing Company," approved Jan. 15, 1850.

No. 55. An act to incorporate the Columbia, Oswego, and Leesburg Plank Road Company.

No. 70. An act to incorporate the Wabash Railroad Company.

No. 38. An act to legalize the election of Isaac P. Snellson to the office of Treasurer of Madison county.

No. 79. An act to authorize a company to construct the Manchester, Pleasant Ridge, and Elizabethtown Turnpike.

No. 95. An act to amend section 12, of chapter 56, of the Revised Statutes of 1843.

No. 92. An act to amend an act entitled "an act to regulate the per diem allowance for work done on the public highways in the county of Adams, and the other counties therein named," approved January 17, 1850.

No. 99. An act to amend an act entitled "an act incorporate the Williamsburgh and Centerville Turnpike Company," approved January 11th, 1849.

No. 118. An act to exempt from taxation the Marine Hospital at Evansville.

No. 121. An act in relation to the jurisdiction of Justices of the Peace.

No. 131. An act to incorporate the New Albany Hotel Company.

No. 132. An act for the relief of the administrator of the estate of Albert Monson, late of St. Joseph county, deceased.

No. 156. An act to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbot.

No. 139. An act to legalize the acts of the late Treasurer of Elkhart county, and to extend the time of paying taxes in said county.

No. 162. An act to change the next February term of the Probate Court of Hamilton county.

No. 173. An act to provide for a Justice of the Peace in West Franklin, Posey county.

No. 141. An act establishing a State road in the counties of Orange and Crawford.

No. 125. An act to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment:

No. 106. An act to amend an act entitled an act to protect from waste certain lands therein mentioned, approved December 13, 1849.

No. 126. An act to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved January 21, 1850.

No. 127. An act to amend chapter 4 of the Revised Code of 1843.

No. 160. An act to incorporate the Anderson, Alexandria, and Jonesborough Plank Road Company.

No. 228. An act to incorporate the Peru Hotel Company.

No. 252. An act to amend an act entitled "an act to locate a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county, approved January 21st, 1850.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed to inform the Senate, that the Speaker has signed the following bill:

No. 280. "An act to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn, Daviess, Lawrence, Union, Fayette, Martin, and Blackford, upon which no execution has issued for three years from the rendition thereof, and where fees have not been collected for three years from the termination of the suit in which the same is taxed."

Which I bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Mr. Holloway presented a petition in relation to the Hagerstown canal;

Which was referred to a select committee consisting of Messrs. Holloway, Reid, and Berry.

REPORTS FROM STANDING COMMITTEES.

By Mr. Niblack;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the House No. 241, entitled "a bill for the relief of Harvey Bates, of the county of Marion," have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and respectfully recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Marshall;

MR. PRESIDENT:

The committee on Finance, to which was referred the joint resolution of the Senate No. 266, have had the same under consideration and have directed me to report the same back to the Senate.

No. 266. A joint resolution in relation to the Madison and Indianapolis Railroad.

When

Mr. Milliken offered the following amendment:

Amend by striking out 1,100,000 and insert 1,200,000, one-half or more of which to be paid by the surrender of the $2\frac{1}{2}$ per cent. stock, which is a tax on the State Treasury.

Mr. Ellis offered the following amendment to the amendment:

Strike out "the whole amendment" and insert "eleven hundred and fifty thousand."

Pending which,

On motion by Mr. Marshall,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

On motion by Mr. English,
The previous order of business was suspended;
When,

Mr. English made the following report:

MR. PRESIDENT:

The committee on Claims, to whom was referred House bill No. 173, for the relief of Andrew Morgan, of Dearborn county, have had the same under consideration, and directed me to report the same back and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

Leave being granted, the following bills were introduced :

By Mr. Harvey ;

No. 268. A bill to exempt Guardians from the payment of Clerk's fees, in certain cases ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Cravens ;

No. 269. A bill making an additional appropriation for the year 1851, upon the New Albany and Vincennes Turnpike road ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Finance.

On motion by Mr. English ;

House bill No. 380 was taken from the table, the rules suspended, the bill read a third time and passed.

Leave being granted, the following reports were made :

By Mr. Allen ;

MR. PRESIDENT :

The select committee, to whom was referred bill of the House No. 288, an act to locate a State road in the counties of Montgomery and Tippecanoe, have had the same under consideration and instructed me to report the same back with the following amendments, and when so amended, recommend its passage.

1st. After the word "road" in the first section present, insert the following words, "sixty feet wide."

2d. Add the following blank section :

Sec. —. Said State road shall be subject to the Gate laws on County roads now in force in the county of Tippecanoe till the first day of June, 1852.

Which amendments were concurred in and the bill ordered to a third reading.

By Mr. Ellis, from a committee of Free Conference ;

MR. PRESIDENT :

The committee of Free Conference on the part of the Senate, to

take into consideration the disagreement between the two Houses, on the engrossed amendment of the House to engrossed bill of the Senate No. 103, authorizing the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next and defray the expenses of the Constitutional Convention, ask leave to report that after due deliberation and conference, they have recommended in lieu of said engrossed amendments of the House, the following :

Insert after the word "hundred" in 1st section of bill, "sixty."

Strike out 3d section and insert :

Sec. 3. That there be hereby appropriated to the payment of the expenses of the Constitutional Convention a sum not exceeding fifty thousand dollars out of any moneys not otherwise appropriated. *Provided*, that there shall first be set aside an amount sufficient to defray the expenses of the Legislature and the ordinary expenses of the State, and in case of a deficit, the sum shall be made up by a law provided in the first section of this act.

Which report was concurred in and the amendments adopted.

By Mr. Henton ;

MR. PRESIDENT :

The select committee to whom was referred House bill No. 254, entitled an act to regulate the mode of doing township business in the county of Wabash, have had the same under consideration and they direct me to report the same back without amendment, and respectfully recommend its passage.

Which was concurred in and the bill ordered to a third reading.

By Mr. Reid ;

MR. PRESIDENT :

The committee on Elections, to whom was referred resolution of the Senate instructing your committee to enquire into the propriety of amending the law governing general elections, have had the same under consideration, and have requested me to report that several amendments ought to be made to said law in order the better to prevent and guard against fraudulent voting, and to compel the return judges to be more punctual in the discharge of their duty, but with the prospect of the early adoption of the new Constitution before them, and the necessary changes and amendments which will be made under it, your committee deem it inexpedient to legislate on this subject at the present time.

Which was concurred in.

By Mr. Niblack ;

MR. PRESIDENT :

The committee on Finance, to whom was referred bill of the Senate No. 211, entitled a bill for the relief of Michael Riley, late Superintendent of the New Albany and Vincennes Turnpike Road, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate without amendment and respectfully recommend its passage.

When,

On motion by Mr. Cravens,
The bill was laid on the table.

By Mr. Sleeth ;

MR. PRESIDENT :

The Judiciary committee, to whom was referred bill of the House No. 264, have had the same under consideration and directed me to report it back and recommend its passage.

No. 264. A bill for the relief of Daniel Stouet, of St. Josephs county ;

Which was concurred in and the bill ordered to be engrossed.

By Mr. Hardin ;

MR. PRESIDENT :

The committee on Education, to whom was referred a bill of the House No. 342, amendatory of an act to increase and extend the benefits of common schools, have had the same under consideration and have instructed me to report the same back with one amendment, and upon its adoption recommend its passage.

Amend the bill by striking out all after the enacting clause, and insert the following :

That it shall be the duty of the township trustees to distribute to the districts within their respective townships the school funds received by them for distribution, in proportion to the number of scholars in each ; anything in the act to which this is an amendment to the contrary notwithstanding.

This act shall be in force from and after its passage.

Which amendments were adopted, the rules suspended, the bill read a third time and passed.

By Mr. Woods ;

MR. PRESIDENT :

The committee on Benevolent Institutions, to whom was referred a resolution of the Senate, directing said committee to inquire into the expediency of changing the practice or rule of the Trustees of the Hospital for the Insane, by which persons are excluded from the benefits of said Institution who are pronounced incurable, and whether any change is necessary in the law establishing said Institution in order to give the Trustees authority to receive patients who are supposed to be incurable, have had the same under consideration, and have directed me to report: That by the 23d section of an act approved February 15, 1848, entitled, "an act for the government of the Indiana Hospital for the Insane," the Commissioners of said Hospital are authorized to "discharge incurable or harmless patients whenever such discharge is necessary to make room for a recent case, as ordered by the Commissioners." The committee are of opinion that this provision is a wise one, and should be continued in force. They would, therefore, report that it is inexpedient to make any change at this time, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

By Mr. Sleeth ;

MR. PRESIDENT :

The committee on Benevolent Institutions, to whom was referred House bill No. 375, entitled an act for the benefit of the Indiana Hospital for the Insane, have had the same under consideration, and have directed me to report it back to the Senate without amendment, and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Teegarden ;

MR. PRESIDENT :

The committee on Enrolled Bills have had enrolled bills of the Senate, Nos. 144 and 146, under correction, and find them correctly enrolled.

Leave being granted, the following bills were introduced :

By Mr. Woods ;

No. 270. A bill to authorize the Commissioners of Ohio county to collect tolls at a certain bridge therein named ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Holloway ;

No. 271. A bill to amend an act entitled "an act to incorporate the city of Richmond, Wayne county, Indiana," approved February 24, 1840 ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, and the bill read a third time and passed.

By Mr. Odell ;

No. 272. A joint resolution relative to the Agent of State ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time and referred to Senators Odell, English, Dunn, Allen and Marshall.

By Mr. Hardin ;

No. 273. A bill in relation to State roads in Johnson county ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Niblack ;

No. 274. A bill relative to township elections where there is more than one precinct in any township ;

Which was read a first time, the rules suspended, and the bill referred to the committee on Elections.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk :

MR. PRESIDENT :

I am directed to inform the Senate that the Speaker has signed bill numbered 260, "an act to amend an act creating the Marion court of common pleas," approved January 4, 1849, which is returned for the signature of the President of the Senate.

Whereupon the President affixed his signature thereto.

Leave being granted,

Mr. Delevan offered the following resolution :

Resolved, That the committee on Public Buildings be instructed to report to the Senate the condition of the State House roof, and whether a new roof is necessary for the safety and protection of the building ; if not, what repairs may be necessary for its protection.

Which was adopted.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate : Nos. 144 and 146.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

ORDERS OF THE DAY.

House Bills on Third Reading.

No. 276. A bill for the better improvement of highways in the county of Carroll and Delaware ;

Was read a third time and passed.

No. 279. A bill to incorporate the Blountsville, Smithfield and Montpelier Plank Road Company ;

Was read a third time and passed.

No. 306. A bill to amend an act entitled, "an act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley," approved January 14, 1850 ;

Was read a third time and passed.

No. 374. A bill to extend the provisions of "an act to enable the qualified voters of district No. 4, in town No. 31, north of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house," approved January 21, 1850, to the several school districts in Fulton county ;

Was read a third time and passed.

HOUSE BILLS ON SECOND READING.

No. 125. A bill to enable persons sustaining damages occasioned

by the construction of the Wabash and Erie Canal, to have their damages assessed without further delay, and for the more convenient service of process on the Trustees of said canal:

Was read a second time and referred to the Judiciary committee.

No. 293. A bill to incorporate the Albion and Lisbon Turnpike Company;

Was read a second time, and referred to a select committee consisting of Messrs. Dawson, Eddy and Buckles.

No. 309. A bill to fix the compensation of clerks of circuit courts in cases of naturalization in the 12th Judicial circuit;

Was read a second time and ordered to a third reading.

No. 316. A bill to authorize the superintendent of common schools to publish and distribute the school laws of 1849;

Was read a second time and laid on the table.

No. 337. A bill to extend an act entitled an act to authorize the Sheriff of Lawrence county, to serve process issued by justices of the peace in certain cases, to the county of Owen;

Was read a second time and ordered to a third reading.

No. 344. A bill to authorize the Treasurer of Laporte county, to charge a per centage on road tax receipts;

Was read a second time and ordered to a third reading.

No. 385. A bill providing for electing township assessors in Rush county;

Was read a second time and ordered to a third reading.

No. 389. A bill to incorporate the German Union Support Society of Jefferson county;

Was read a second time, the rules suspended, the bill read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:

No. 222. An act to extend further time to the borrowers of the Sinking Fund and other trust funds.

In which amendment the concurrence of the Senate is respectfully requested;

Which engrossed amendment of the House was concurred in.

Also, the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the House has passed the following engrossed bill of the Senate, with two amendments:

No. 159. An act to authorize the Township Trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge tax;

In which amendments the concurrence of the Senate is respectfully requested.

The question being on concurring in the engrossed amendment of the House;

The Senate refused to concur.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof;

No. 174. An act to authorize the building of a bridge across Laughery creek by Andrew Morgan;

In which the concurrence of the Senate is respectfully requested;

The bill read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On motion,

Laid on the table.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 219. An act to incorporate the Rising Sun Hotel Company;

No. 234. An act amending section 48, 49 and 50 of chapter 29, of the Revised Statutes of 1843.

No. 320. An act authorizing the Treasurer and Auditor of State to re-settle with George H. Dunn, late Treasurer of State, and correct any mistake that may be found in the former settlement of the said Dunn.

No. 327. An act dispensing with complete records and regulating the fees of clerks of Probate courts in certain cases.

No. 330. An act to repeal an act to regulate the retailing of spirituous liquors in the county of Kosciusko.

No. 333. An act to extend the time of holding the sessions of the Board of County Commissioners of Marion county.

No. 338. An act to incorporate the Wabash, Warsaw and Goshen Plank Road Company.

No. 347. An act to authorize the draining of wet lands in Miami, Allen, Huntington and St. Joseph.

No. 352. An act providing for a certain road therein named.

No. 354. An act to incorporate the town of Salem in the county of Washington.

No. 361. An act to amend section 24, chapter 10, of article 1, of the Revised Statutes of 1843, so far as the same relates to the county of Allen.

No. 362. An act to repeal an act to amend the Statute, providing for taking a change of venue in criminal cases, so far as Allen county is concerned, approved January 16th, 1849.

No. 363. An act to extend the Terre Haute and Alton Railroad.

No. 364. An act incorporating the Madison and Cross Plains Plank Road Company.

No. 366. An act to amend an act entitled an act to incorporate the Ohio and Indiana Railroad Company, approved January 15th, 1851.

No. 372. An act providing for the election of three school commissioners, in township No. 12, of range No. 11 east, situated in the counties of Franklin, Rush, and Decatur.

No. 384. An act to appraise the real estate of the State, and to make the value of the same equal and uniform throughout this State.

No. 393. An act to repeal a Plank Road law of Huntington and Whitley counties.

No. 394. An act legalizing the sale of the school section in township 11, north of range 1 east, in Morgan county.

No. 395. An act to locate a Statee road in the counties of Marion and Boone.

No. 396. An act to create a school district in Marshall county.

No. 397. An act authorizing the sale of section 16, in township No. 8, north of range No. 5 east, in the county of Bartholomew.

No. 399. An act for the relief of Samuel Skinner, and other purchasers of school lands in Randolph and Delaware counties.

No. 400. An act to repeal an act entitled an act regulating the salary of the Auditor of Putnam county, approved February 11th, 1848.

No. 401. An act to establish additional places of holding elections in certain counties therein named.

No. 402. An act to repeal the act entitled an act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county, approved January 21st, 1850.

No. 403. A joint resolution for the relief Capt. William Waldo.

No. 404. An act amendatory of the several acts relating to the city of Logansport, approved February 17th, 1839, January 13th, 1845, and January 14th, 1848.

No. 405. An act to incorporate the Madison and Vevay Plank Road Company.

No. 403. An act to prevent attorneys from doing the duties of sheriff, in Tippecanoe county.

No. 408. An act to extend the February and October terms of the Marion probate court.

No. 410. An act to repeal an act establishing additional places of holding elections in certain counties therein named, approved December 21st, 1849, so far as the county of Greene is concerned.

No. 411. An act to authorize the board doing county business in Tipton county, to change the burial ground for the town of Tipton.

No. 413. An act to amend an act therein named.

No. 418. An act to legalize the tax sales made by the mayor of the city of Fort Wayne, Allen county.

No. 419. An act to amend an act to provide for the election of township assessors and collectors in the county of Jennings, and for other purposes, approved February 12th, 1848.

In which the concurrence of the Senate is respectfully requested. Bills contained in the message Nos. 234, 333, 338, 372, 393, 396, 401, 403, 406, and 413,

Were severally read a first time and passed to a second reading.

Nos. 219, 362, 395, and 402, were read a first time, the rules suspended, the bills read a second time and ordered to a third reading.

Nos. 347, 352, 366, 397, 404, 408, 410, 411, and 419, were severally read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

Nos. 320 and 348 were read a first time, the rules suspended, the bills read a second time and referred to the committee on Finance.

Nos. 354, 363, 364, and 405, were severally read a first time, the rules suspended, the bills read a second time and referred to the committee on Corporations.

No. 327 was read a first time, when

Mr. Dunn moved to reject the bill;

Which was decided in the negative,

And the bill passed to a second reading.

No. 361 was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of

Messrs. Mickle, Hardin, and Evans.

No. 330 was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The bill was referred to Senators Day, Brugh, and English.

No. 394 was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of

Messrs. Delevan, Kinnard, and Buckles.

No. 399 was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of Messrs. Buckles, Hamrick, Turman, Walker, and Brugh.

No. 400 was read a first time, the rules suspended, the bill read a second time and referred to a select committee consisting of Messrs. Hamrick, English, and Winstandley.

No. 418 was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Mickle, Miller, and Goodman.

On motion by Mr. Hanna,

The vote to indefinitely postpone

No. 190. A bill to amend article 1 in chapter 25, of Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county,

Was reconsidered, and,

On motion,

Referred to Senators Goodman, Adams, Sleeth, Graham, and James.

Mr. Miller offered the following resolution :

Resolved, That whereas most of the States in this Union allow to their Governors a fair compensation, that the committee on Finance be requested to inquire into the expediency of increasing the salary of the Governor of Indiana.

Which was adopted.

On motion by Mr. Dunn,

The vote adopting the resolution was reconsidered.

When

Mr. Dunn moved to amend the resolution by adding "Circuit Judges," after the word "Governor."

Mr. English moved, to lay the resolution and amendment on the table.

A division of the question being called for,

The question being on laying the amendment on the table,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Cravens, Day, Defrees, Delevan, English, Evans, Goodman, Hamrick, Hanna, Hardin, Kinnard, Knowlton, Miller, Odell, Winstandley, and Woods—17.

Those who voted in the negative were,

Messrs. Adams, Buckles, Dawson, Dole, Dunn, Ellis, Graham,

Harvey, Herod, Holloway, James, Marshall, McCarty, Milliken, Niblack, Porter, Reid, Sleeth, Teegarden and Turman—20.

So the amendment was not laid on the table.

Mr. Buckles offered the following amendment to the amendment :
Insert in the proper place the words "Supreme Judges."

Which was adopted.

Mr. Reid moved to lay the resolution and amendments on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Cravens, Day, Defrees, Delevan, English, Evans, Goodman, Hamrick, Hanna, Hardin, Kinnard, Knowlton, Milliken, Odell, Porter, Reid, Sleeth, Winstandley and Woods—21.

Those who voted in the negative were,

Messrs. Dole, Dunn, Ellis, Graham, Harvey, Herod, Holloway, James, Marshall, McCarty, Mickle, Miller, Niblack, Teegarden and Turman—15.

So the resolution and amendments were laid on the table.

Leave being granted, Mr. Ellis made the following report :

MR. PRESIDENT :

The select committee, to which had been referred House bill No. 156, have instructed me to report the same to the Senate with the following amendments, and upon their adoption, to recommend its passage :

No. 156. A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad company, approved January 15, 1849, so far as relates to the county of Daviess.

Amend 1st section :

Strike out after "Daviess," where it first occurs, "on the first Monday of August next or at the annual election," and insert "at the first annual election after this act takes effect."

Amend last section :

Insert after the word "passage," "and the acceptance of this act by the Board of Directors entered upon the Minute Book of the

company, a copy of which shall be sent duly certified to the auditor of said county."

Which amendments were concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Hanna;

MR. PRESIDENT:

The Committee on Federal Relations, to whom was referred joint resolution of the House No. 65, have directed me to report the same back and recommend its passage.

No. 65. A joint resolution on the subject of appropriating money for the erection of a public building;

Which was concurred in, the rules suspended, the bill read a third time and passed.

Leave being granted, the following bills were introduced:

By Mr. Evans;

No. 275. A bill to prevent some of the evil effects of retailing spirituous liquors;

Was read a first time and passed to a second reading.

By Mr. Turman;

No. 276. A bill to locate a State road in Warren and Fountain counties;

Which was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Turman;

No. 277. A bill in relation to the sale of personal and real estate by Guardians;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time and referred to the Judiciary committee.

By Mr. Dole;

No. 278. A bill to incorporate the Clinton Draw Bridge Company;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and, referred to

Senators Dole, Turman, Montgomery, Hamrick and Porter.

By Mr. Tegarden, from the committee on Enrolled Bills;

MR. PRESIDENT:

The committee on Enrolled Bills have compared Enrolled Bills of the Senate Nos. 111 and 83 with the engrossed, and find them correctly enrolled.

Mr. Day submitted the following resolution:

Resolved, That the use of the Hall of the Senate be granted unto Benjamin Satterthwaite, on Sunday next, at ten o'clock in the forenoon, for the purpose of his delivering a lecture on the subject of a "New Era at hand in the History of the World," and that the members of the Senate are respectfully invited to attend.

Which was adopted.

On motion,

The Senate adjourned.

SATURDAY MORNING, February 8, 1851.

The Senate met.

Reading the Journal dispensed with.

PETITIONS INTRODUCED.

By Mr. Hamrick;

A petition of Daniel Chad and 65 others, on the subject of selling county Seminary of Putnam county;

Which was referred to a select committee of Senators Hamrick, Porter and Montgomery.

By Mr. Turman;

Two remonstrances on the subject of the location of the seat of justice of Fountain county;

Which was referred to a select committee of Senators Turman, Adams and Allen.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the engrossed amendments of the Senate to engrossed bills of the House to-wit:

No. 268. An act to establish a free turnpike road.

No. 311. An act to incorporate the congregation of the German Evangelical Lutheran St. Paul's Church in the city of Ft. Wayne, in Allen county.

No. 86. An act authorizing Cyrus Taber and Allen Hamilton to build a dam across the Wabash river, in Cass county.

No. 152. An act to amend an act entitled an act to incorporate the Lake Michigan, Logansport and Ohio River Railroad Company, enacted by the General Assembly in February, 1848.

No. 204. An act to incorporate the Washington and Maysville Plank Road Company.

No. 274. An act to incorporate the Indianapolis Gas Light and Coke Company.

No. 280. An act to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn and Daviess, upon which no execution has issued for three years from the rendition thereof, and where fees have not been collected for three years from the termination of the suit in which the same is taxed.

No. 245. An act defining the duties of the surveyor of Morgan county.

No. 29. An act to repeal an act therein named.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bills of the House:

No. 165. An act to amend chapter 7, article 1, section 2 of the Revised Code.

No. 188. An act to repeal part of the 31st section of an act to increase and extend the benefits of common schools.

No. 266. An act to incorporate the Contral Michigan Plank Road Company.

No. 303. An act to incorporate the Franklin and Shelbyville Plank Road Company.

No. 305. An act in relation to the sale of spirituous liquors in Johnson county.

No. 358. An act to incorporate the Vernon Life, Trust, Trading and Manufacturing Company.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

Nos. 68 and 75.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the report of the committee of free conference appointed to take into consideration the disagreement of the two houses in relation to the engrossed amendment of the House to engrossed bill of the Senate, entitled,

No. 103. An act to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and to defray the expenses of the Constitutional Convention.

Also, the following message was received:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof, to-wit:

Nos. 295, 182, 315, 290, 187, 263, 209, 247, 332, 317, 299, 214, 24, 230, 286, 246, 283, 251, 272, and 300.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills of the Senate, without amendment, to-wit:

No. 148. A joint resolution in relation to the pay of Austin H. Brown, printer to the Constitutional Convention of Indiana.

No. 152. An act defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes.

No. 158. An act to prevent Clerks and Sheriffs from purchasing judgments in the court to which they act as clerk or sheriff.

No. 184. An act to incorporate the Belleville Branch Railroad Company.

No. 189. An act for the relief of Barbra Elder, of the county of Union, State of Indiana.

No. 197. An act to repeal an act therein named.

No. 205. An act to change the name of Levi Gear to that of Levi Frash.

No. 208. An act to incorporate the Danville and White Lick Plank Road Company.

No. 214. An act in relation to the County Surveyor of Putnam county.

No. 218. An act to legalize the sale of lands and town lots for taxes in Spencer county on the first Monday of January, 1851.

No. 219. An act to amend the general road law so far as the county of Putnam is concerned.

No. 225. An act to change the name of Howard Allen to Howard Werts.

No. 251. An act to amend an act incorporating the Wabash Manual Labor College and Teachers' Seminary, approved January 15, 1834.

No. 260. An act to incorporate the Columbus Plank Road company.

Report by Mr. Montgomery, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 301, an act to authorize the construction of a milldam across the Tippecanoe river, in White county, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

On motion by Mr. English,

Leave of absence was granted to the committee appointed to examine into the charges preferred against the Superintendent of the Insane Hospital.

The Senate then resumed the consideration of No. 266, a joint resolution in relation to the Madison and Indianapolis Railroad.

The question being on the adoption of the amendment to the amendment, proposed by Mr. Ellis,

Mr. Harvey moved to lay the amendment on the table.

Which was decided in the affirmative.

The question then being on the adoption of the amendment proposed by Mr. Milliken,

It was adopted.

Mr. Berry offered the following amendment:

Add after the word "one," in the third section of the resolution, the words.

And it is further provided, That the Indianapolis and Madison Railroad Company, shall, in all things, be governed by such general laws as shall be passed from time to time, for the government of associations for similar purposes.

Mr. Marshall moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Buckles, Cravens, Day, Defrees, Delevan, Dole, Dunn, Ellis, English, Evans, Hamrick, Hardin, Harvey, Herod, Holloway, James, Knowlton, Marshall, McCarty, Milliken, Niblack, Odell, Porter, Sleeth, Teegarden, and Winsteadley—27.

Those who voted in the negative were,

Messrs. Adams, Allen, Berry, Brugh, Dawson, Goodman, Hanna, Kinnard, Logan, Mickle, Turman, and Woods—12.

So the amendment was laid on the table.

The question then being on the engrossment of the joint resolution,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Brugh, Cravens, Day, Defrees, Dole, Ellis, English, Evans, Goodman, Hamrick, Hanna, Hardin, Harvey, Holloway, James, Kinnard, Knowlton, Marshall, McCarty, Milliken, Niblack, Odell, Teegarden, Turman, Winsteadley, and Woods—26.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Berry, Buckles, Dawson, Delevan, Dunn, Logan, Mickle, Porter, and Sleeth—12.

So the joint resolution was ordered to be engrossed.

Mr. Teegarden made the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bill of the Senate No. 148, with the engrossed, and find it correctly enrolled.

REPORTS FROM STANDING COMMITTEES.

By Mr. Sleeth;

MR. PRESIDENT:

The Judiciary committee, to whom was referred House bill No. 238, have directed me to report it back to the Senate with one amendment, and after its adoption recommend its passage:

No. 238. A bill to restrict the power of the grand jury of Shelby, Rush, Knox, Daviess, and Martin counties, and to limit the time of their sessions.

Strike out the words "Rush," "Daviess," and "Martin," where ever they occur, and add in the proper place the following proviso:

Provided, That the provisions of sections 5 and 6 shall not apply to the county of Knox.

Which amendments were adopted, the rules suspended, the bill read a third time and passed.

When,

On motion by Mr. Ellis,

The title of the bill was amended by striking out the words "Rush," "Daviess," "Martin," and "Knox."

By Mr. Logan;

MR. PRESIDENT:

The committee on the Judiciary, to whom was referred Senate bill No. 110, A bill to change the mode of taking testimony in suits in chancery, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend that it be laid on the table.

Which was concurred in and the bill laid on the table.

By Mr. Turman;

MR. PRESIDENT:

The committee on Education, to whom was referred bill No. 74, entitled an act in relation to sales of land forfeited to the State by borrowers of College and other funds, have had the same under consideration, and directed me to report it back to the Senate with one amendment, and on the adoption of the amendment recommend its passage.

Amend by striking from the 3d section the word February, and inserting in lieu thereof "March."

Which amendment was concurred in, and the bill ordered to a third reading.

By Mr. Buckles;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 220, have had the same under consideration, and directed me to report it back to the Senate with one amendment, and when adopted recommend the passage of the bill.

No. 220. A bill to authorize the extension of the Knightstown and Shelbyville Railroad.

Amend by striking out of the first section all after the word "Knightstown," in the tenth line, and insert in lieu thereof the following:

"By way of Newcastle, in Henry county, to Muncie, in Delaware county."

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 183, 124, 123, 153, 76, 137, and 136, with the engrossed, and find them correctly enrolled.

The Senate resumend the consideration of

No. 117. A bill of the Senate to authorize the Madison and Indianapolis Railroad Company to change the location of part said road.

When,

On motion,

The amendment proposed by Mr. Reid was laid on the table,

And the the bill ordered to be engrossed.
By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom had been referred Senate bill No. 265, have instructed me to report the same to the Senate with the following amendment, and upon its adoption, recommend its passage.

No. 265. A bill to incorporate the Central Canal Manufacturing, Hydraulic and Water Works Company.

Amend by adding to last section,

And the property so conveyed to said assignees shall be forever held and bound for the faithful performance of the conditions of said bond for the benefit of the lessees and all other persons interested, and the Governor, whenever he may, from time to time, think the security insufficient, require additional security on such bond.

Which was concurred in, and the amendment adopted.

Mr. Hanna offered the following amendment:

Strike out that portion which authorizes and requires the Governor to take bond of the assignees of the purchasers from the State.

The question being on the adoption of the amendment,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Berry, Dawson, Dole, Dunn, Eddy, English, Evans, Goodman, Hamrick, Hanna, Hardin, Herod, Kinnard, Logan, McCarty, Miller, Porter, Teegarden, and Woods—22.

Those who voted in the negative were,

Messrs. Cravens, Day, Defrees, Delevan, Ellis, Harvey, Holloway, Knowlton, Marshall, Niblack, Odell, Turman, and Winstandley—13.

So the amendment was adopted.

Mr. Hanna offered the following amendment:

Provided, That said company shall be subject to any general laws which may be hereafter passed by the General Assembly incorporating and affecting similar associations.

Mr. Ellis, moved to lay the amendment on the table.

Which was decided in the negative.

The question then being on the adoption of the amendment,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Berry, Buckles, Dawson, Dunn, English, Goodman, Hanna, Kinnard, Miller, Milliken, Niblack, Winstandley, and Woods—13.

Those who voted in the negative were,

Messrs. Alexander, Cravens, Day, Defrees, Delevan, Dole, Ellis, Evans, Hamrick, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Odell, Porter, Sleeth, Teegarden, and Turman—20.

So the amendment was not adopted.

When,

On motion by Mr. Berry,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Leave being granted, the following reports were made:
By Mr. Dole;

MR. PRESIDENT:

The select committee, to whom was referred bill No. 278, to incorporate the Clinton Draw Bridge Company, have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Hamrick ;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 400, entitled an act to repeal an act entitled an act regulating the salary of the Auditor of Putnam county, approved February 11, 1848, have had the same under consideration, and have directed me to report the same back to the Senate without amendment and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Mickle;

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 418, have had the subject matter under consideration, and directed me to report the same back to the Senate and recommend its passage.

No. 418. A bill to legalize the tax sales made by the Mayor of the city of Fort Wayne, Allen county, Indiana.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Delevan;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 394, entitled an act to legalize the sale of the school section in township eleven, north of range one east, in Morgan county, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bill No. 251 with the engrossed and find it correctly enrolled.

The following message was received from his Excellency the Governor, by Mr. Noel, his Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following bills:

No. 111. An act to incorporate the town of Covington, in the county of Fountain.

No. 83. An act to incorporate the Covington and Danville Plank Road Company.

No. 146. A joint resolution on the subject of the sale of the northern division of the Central Canal.

No. 192. An act transferring the duties of Agent of the Surplus Revenue Fund in Scott county to the Auditor of said county.

No. 187. An act relative to the Borough of Vincennes.

No. 179. An act in relation to a certain road and street therein named.

No. 114. An act to amend an act entitled an act to incorporate the Trustees of the Hartsville Academy, approved January 12, 1850.

No. 56. An act to locate a State Road on the line dividing Wayne and Randolph counties.

No. 53. An act to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to Miami county.

No. 217. An act in relation to the Northern Indiana Railroad Company.

No. 148. An act in relation to the pay of Austin H. Brown, printer to the Constitutional Convention of Indiana.

No. 68. An act legalizing a certain deed of conveyance heretofore made and executed by the County Auditor of Perry county, to William Elder.

No. 75. An act to amend an act entitled "an act to incorporate the Bedford Insurance company, approved February 8, 1836, and to change the name of said company.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House instantler, for the purpose of going into the election of two Commissioners for the Insane Hospital, and that seats be provided for their accommodation on the right of the Speaker's chair.

Which resolution was reciprocated and the Senate repaired in a body to the Hall of the House and took the seats prepared for them, When,

The two Houses of the General Assembly proceeded in joint convention to the election of two Commissioners for the Insane Hospital by *viva voce* vote and after the vote had been taken it appeared that,

Those who voted for Henry Brady were,

Messrs. Adams, Athon, Berry, Brugh, Cravens, Dawson, Day,

Eddy, English, Hamrick, Hardin, Henton, Herod, Holloway, Hunt, James, Marshall, McCarty, Mickle, Miller, Niblack, Porter, Sleeth, Teegarden, Turman, Walker, Winstandley and Woods;

On the part of the Senate.

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Cox, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Gentry, Graff, Hall, Hamilton, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Hutchinson, Jackson, Johnston, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McClelland, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Peckempaugh, Phillips, Ross, Shull, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Usher, Watson, Watts of Jefferson, Willard, Williamson and Withers;

Of the House.—90.

Those who voted for James S. Harrison were,

Messrs. Defrees, Delevan, Dole, Dunn, Ellis, Harvey, Kinnard, Knowlton and Montgomery;

Of the Senate, and,

Messrs. Benson, Chapman, Clark, Conner, Crawford, Davis of Dubois, Fleece, Goodwin of Daviess, Hammond, Harrison, Isom, Jones, Marquess, McKim, Patterson of Marshall, Reynolds, Rice, Riley, Robbins, Shook, Simler, Thompson of Carroll, Thorn, Walls, Watt of Union, and Wittenmeyer;

Of the House.—35.

A majority of the two Houses voting, having voted for Henry Brady, he was declared by the President of the Convention duly elected a Commissioner for the Hospital for the Insane, to serve as such for the unexpired term of John S. Bayless.

No other person voted for having received a majority of all the members voting, the Convention proceeded to vote *viva voce* for a second Commissioner for the Indiana Hospital for the Insane.

When,

After the vote had been taken, it appeared that,

Those who voted for Edwin J. Peck were,

Messrs. Day, Defrees, Dole, Eddy, Ellis, English, Hamrick, Harvey, Herod, Holloway, Kinnard, Knowlton, Marshall, Mickle, Montgomery, Porter, Sleeth, Teegarden, Walker and Winstandley;

Of the Senate, and

Messrs. Bird, Brown of Pike, Bulla, Carr, Coburn, Edwards, Elkins, Essex, Graff, Hicks, Hubbard, Hutchinson, Jackson, Johnston, Jordan, Lank, Lawrence, Lewis, Marshall, McMakin, Millikan, Morrow, Pancake, Phillips, Robbins, Ross, Stayner, Stone, Schwartz, Usher, Watts of Jefferson, Willard and Williamson;

Of the House.—53.

Those who voted for Andrew M. Hunt were,

Messrs. Adams, Alexander, Athon, Brugh, Henton, Hunt and Niblack;

Of the Senate, and,

Messrs. Blue, Conner, Crawford, Donaldson, Hammond, Haywood, Lindsey and Moore of the House—15.

Those who voted for James S. Harrison were,

Messrs. Cravens, Delevan, Dunn, McCarty and Miller of the Senate.

Messrs. Armstrong, Benson, Brown of Shelby, Campbell, Clark, Cox, Davis of Scott, Fleece, Gentry, Goodwin of Daviess, Hall, Hamilton, Harris, Harrison, Hosbrook, Houghman, Humphreys, Isom, Jones, Marquess, Marvin, McCarty, McClelland, McKim, Mercer, Morgan, Nelson, Painter, Patterson of Marshall, Peckempaugh, Reynolds, Rice, Riley, Shook, Shull, Simler, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Watt of Union, Wilson, Withers, Wittenmeyer and Mr. Speaker of the House—51.

Those who voted for Demas L. McFarland were,

Messrs. Dawson and Hardin of the Senate, and

Messrs. Bradley, Chapman, Davis of Dubois, and Watson of the House—6.

No person having received a majority of all the votes given, The convention proceeded by *viva voce* vote to a third ballot.

Those who voted for Edwin J. Peck were,

Messrs. Alexander, Athon, Day, Defrees, Dole, Eddy, Ellis, English, Hamrick, Harvey, Henton, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, Mickle, Milliken, Montgomery, Odell, Porter, Sleeth, Teegarden, Walker and Winstandley of the Senate, and

Messrs. Bird, Blue, Bulla, Carr, Coburn, Conner, Cowan, Crawford, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Goodman of Vigo, Graff, Hammond, Haywood, Hicks, Hubbard, Hutchinson, Jackson, Johnson, Jordan, Lank, Lawrence, Lindsey, Marshall, McKim, Millikan, Moore, Morrow, Pancake, Peckenpaugh, Phillips, Reynolds, Robbins, Ross, Shull, Stayner, Stone, Schwartz, Swihart of Huntington, Usher, Watson, Watts of Jefferson, Willard, Williamson, Withers and Mr. Speaker of the House—74.

Those who voted for James S. Harrison were,

Messrs. Adams, Brugh, Cravens, Delevan, Hunt and McCarty of the Senate, and

Messrs. Armstrong, Benson, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Cox, Davis of Dubois, Elkins, Gentry, Goodwin of Daviess, Hall, Hamilton, Harris, Harrison, Hosbrook, Houghman, Humphreys, Isom, Jones, Marquess, Marvin, McCarty, McClelland, McMakin, Mercer, Morgan, Nelson, Painter, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Shook, Simler, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Watt of Union and Wittemeyer of the House—47.

Those who voted for Demas L. McFarland were,

Messrs. Dawson, Hardin, Miller of the Senate, and

Mr. Bradley of the House—4.

For Andrew M. Hunt,

Mr. Niblack—1.

A majority of the Houses voting having voted for Edwin J. Peck, he was declared by the President of the Convention duly elected Commissioner of the Indiana Hospital for the Insane, to serve as such for the term of six years from and after this date;

When the President declared the Convention adjourned *sine die*, And the Senate returned to their chamber.

ORDERS OF THE DAY WERE TAKEN UP.

Senate Bills on Third Reading.

No. 286. A bill for the relief of Daniel Stones of St. Joseph county;

Was read a third time and passed.

On leave being granted, the following reports were made:

By Mr. Dawson;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 293, an act to incorporate the Albion and Lisbon Turnpike Company, have had the subject under consideration, and have made sundry amendments thereto, and when so amended, recommend its passage.

Amend by adding the following to the sixth section:

Provided, That nothing herein contained shall be so construed as to authorize the county of Noble, or any township therein, by their agents or otherwise, to take stock in said company.

After the word right, in the third line of the 16th section, insert the following:

After first having obtained the consent of the board doing county business in Noble county.

To the end of the 19th section add the following:

Provided, Said company shall not charge or receive a greater rate of toll than is granted by the provisions of the General Plank Road Law.

Which amendments were concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Odell;

MR. PRESIDENT:

The committee to whom was referred joint resolution of the Senate No. 272, relative to the Agent of State, have had the same under consideration, and instructed me to report it back and recommend that it be laid on the table, and to introduce the following bill.

Which was concurred in.

No. 275. A bill for the benefit of State Agent.

Which was read a first time, the rules suspended, the bill read a second time and ordered to be engrossed.

By Mr. Porter;

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 314 entitled "a bill to change the time of holding Circuit Courts in the thirteenth judicial circuit," have had that subject under consideration, and directed the recommendation of the following amendment. Strike out section two and insert in lieu thereof the following:

And from and after the close of the spring term of 1851 of the said Dearborn Circuit Court, as in the preceding section provided, the several terms of the Circuit Courts in the Thirteenth Judicial

Circuit shall be as follows, viz: In the county of Franklin on the first Mondays of February and August, except the next August term shall be commenced on the Tuesday after the first Monday, and shall sit three weeks, if the business requires; in the county of Dearborn on the fourth Mondays of August and February, and may sit four weeks at each term; in the county of Ripley on the fourth Mondays of September and March, and if its business requires, may continue two weeks; in the county of Decatur on the first Mondays of October and April, and may sit three weeks if necessary. *And it is further provided*, That when civil suits are sent to any of said courts on changes of venue from other counties, they shall be the last docketed in any of said courts.

Which amendments were adopted, and the bill ordered to a third reading.

By Mr. Niblack;

MR. PRESIDENT:

The select committee, to whom was referred the petitions and remonstrances of sundry citizens of Martin county in relation to the removal of the county seat of said county, have had the subject matter under consideration, and have instructed me to report the following bill, and respectfully recommend its passage:

No. 280. A bill authorizing the "Board of County Commissioners of Martin county" to order a vote to be taken in a certain case relating to the seat of justice of said county.

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Goodman;

MR. PRESIDENT:

The committee to whom was referred a bill of the House No. 190, have had the same under consideration and have directed me to report the same back and recommend it to be laid on the table.

No. 190. A bill to amend article 1, in chapter 25, of Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county.

Which was concurred in, and the bill laid on the table.

By Mr. Turman;

MR. PRESIDENT:

The select committee to whom were referred sundry petitions and remonstrances on the subject of the re-location of the seat of justice of Fountain county, have had the same under consideration, and directed me to report the following bill to the Senate, and recommend its passage:

No. 281. A bill to re-locate the seat of justice of Fountain county.

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 363, "an act to extend the Terre Haute and Alton railroad," have had the same under consideration, and instructed me to report it back with the following amendments, and after so amended, recommend its passage.

Insert after "width," in the 10th line of section 2, the words, "in the channel of the river."

Also, insert after "company," in the 13th line of the same section, the words, "provided, always, said company shall be liable for damages to any steamboat or other water craft navigating said river for any unnecessary detention or damages occasioned by the improper construction or management of said draw."

Which amendments were concurred in and the bill ordered to a third reading.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate, No. 235, have had the same under consideration, and have directed me to report the same back and recommend its passage:

No. 235. A bill to amend an act entitled an act to amend an act entitled [an act] to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846, approved January 14, 1851.

Which was concurred in, and the rules suspended, the bill read a third time and passed.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom had been referred House joint resolution, No. 284, have instructed me to report the same to the Senate and recommend that it be indefinitely postponed.

No. 284. A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company.

Which was concurred in and the bill indefinitely postponed.

By Mr. Winsteadley;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 151, entitled an act to amend the charter of the town of Terre Haute, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

By Mr. Winsteadley;

MR. PRESIDENT:

The committee on Corporations to whom was referred Senate bill No. 169, have had the same under consideration, and have directed me to report it back to the Senate, with the recommendation that it be laid on the table.

No. 169. A bill to incorporate the New Albany and Vincennes Plank Road Company.

Which was concurred in and the bill laid on the table.

By Mr. McCarty;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the House No. 236, an act to incorporate the White River Navigation Company, have had the same under consideration, and have directed me to report the same back to the Senate for its action.

On motion,

The bill was referred to a select committee consisting of Senators Hardin, Garver, Alexander, McCarty and Niblack.

By Mr. Knowlton;

MR. PRESIDENT:

The select committee, to whom was referred the joint resolution of the House, No. 377, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

No. 377. A joint resolution suspending the operation of a certain act therein named.

Which was concurred in and the bill ordered to a third reading.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 296, entitled an act to incorporate the Grape Vine Marsh Plank Road Company, have had the same under consideration, and directed me report it to the Senate and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Brugh;

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 230, have had the same under consideration, and recommended me to report the same back and recommend its passage.

No. 330. A bill to repeal an act to regulate the retailing of spirituous liquors in the county of Kosciusko.

Which report was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 133, an act to incorporate the Sandusky, Lafayette and Springfield Railroad Company, have had the same under consideration, and instructed me to report it back and recommend its indefinite postponement.

Which was concurred in, and the bill indefinitely postponed.

By Mr. Niblack;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the House No. 320, entitled an act authorizing the Treasurer and Auditor of State to settle with George H. Dunn, late Treasurer of State, and to correct any mistake that may be found in the former settlement of the said Dunn, have had the same under consideration, and have instructed me to report the same back to the Senate and respectfully recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Ellis;

MR. PRESIDENT:

The committee on Corporations, to whom had been referred House bill No. 321, entitled a bill to incorporate the Wabash and Miami Plank Road Company, have instructed me to report the same to the Senate and recommend, inasmuch as the committee had not time to read the same, that it be read in the Senate for its deliberate and enlightened action.

Which was concurred in and the bill ordered to a third reading.
By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 350, entitled, "an act to amend an act entitled an act to incorporate the town of Peru," have had the same under consideration and directed me to report it to the Senate and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 353, "An act to incorporate the town of Valparaiso in the county of Porter," have had the same under advisement and instructed me to report it back and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Winstandley;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 261, entitled, "an act to incorporate the Kankakee Bridge Company," have had the same under consideration and directed me to report it back to the Senate without amendment and recommend its passage;

Which was concurred in, the bill read a third time and passed.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 381, entitled, "an act to amend an act entitled an act to incorporate the Richmond and Boston Turnpike Company," have had the same under consideration, and authorized me to report it to the Senate and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 255, entitled, "an act to incorporate the Liberty and Centreville Railroad Company," and petition on the same subject, have had the same under consideration, and have instructed me to report the bill and petition back to the Senate and recommend the passage of the bill;

Which was concurred in, and the bill ordered to be engrossed.

By Mr. Cravens;

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the Senate No. 242, entitled, a bill to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company," have had the same under consideration, and have instructed me to report the bill back to the Senate and recommend its passage;

Which was concurred in, and the bill ordered to engrossed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 369, extending the provisions of "an act for the benefit of the Clark County Central Plank Road Company," to the Madison, Hanover and Lexington Plank Road Company, report the same back and recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Graham;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 278, "for the relief of the Terre Haute and Richmond Railroad Company and the Indiana Central Railway Company," have had the same under consideration; made an amendment thereto—and upon its adoption, recommend its passage;

Strike out all of the third section after the words "or other freight" in the 8th line.

Mr. Hanna moved to lay the amendment on the table;

Which motion prevailed.

Mr. Dunn offered the following amendment:

Strike out all that portion of said bill, which authorizes said company to make branches from the main line.

Mr. Hamrick moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Day, Delevan, Dole, Evans, Hamrick, Hanna, Harvey, Herod, Holloway, Kinnard, Knowlton, Marshall, McCarty, Odell, and Teegarden—15.

Those who voted in the negative were,

Messrs. Alexander, Cravens, Defrees, Dunn, Ellis, English, Niblack and Winstandley—8.

There being no quorum voting,

On motion by Mr. Harvey,

A call of the Senate was ordered, and the absentees sent for.

Mr. Hanna moved that the Senate adjourn,
Which was decided in the negative.

Mr. Knowlton moved that the Senate adjourn,
Which was decided in the negative.

When,

On motion by Mr. Harvey,

The further call of the Senate was suspended.

The question being on laying the amendment on the table,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Buckles, Day, Delevan, Dole, English, Evans, Hamrick, Hanna, Harvey, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, McCarty, Mickle, Miller, Odell, Sleeth, Teegarden, and Walker—23.

Those who voted in the negative were,

Messrs. Alexander, Brugh, Cravens, Dawson, Defrees, Dunn, Ellis, Goodman, Niblack, Porter, Turman, Winstandley, and Woods—13.

So the amendment was laid on the table.

Mr. Marshall moved that the Senate adjourn,

Which was decided in the negative.

The bill was read a third time when,

The question being on the passage of the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Brugh, Day, Delevan, Dole, Evans, Goodman, Hamrick, Hanna, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Miller, Odell, Sleeth, and Walker—20.

Those who voted in the negative were,

Messrs. Alexander, Buckles, Dawson, Dunn, English, Kinnard, Logan, Mickle, Turman, Winstandley, and Woods—11.

No quorum having voted,

On motion by Mr. Holloway,

A call of the Senate was ordered, and the absentees sent for.

On motion by Mr. Mickle,

The further call of the Senate was suspended.

The question being on the passage of the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Brugh, Day, Delevan, Dole, Evans, Goodman, Hamrick, Hanna, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Milliken, Odell, Porter, Sleeth, Teegarden, and Walker—22.

Those who voted in the negative were,

Messrs. Alexander, Cravens, Dawson, Defrees, Dunn, Ellis, English, Kinnard, Logan, Mickle, Niblack, Turman, Winstandley, and Woods—14.

So the bill passed.
By Mr. Defrees;

MR. PRESIDENT:

The Committee on Corporations, to whom was referred House bill No. 228, providing for the annexation of Lamasco to Evansville, have had the same under consideration, and have directed me to report the same back without amendment and recommend its passage.

Which report was concurred in, and the bill ordered to a third reading.

On motion by Mr. English,

Senate bill No. 279, a bill for the benefit of State Agent, was taken up, the rules suspended, the bill read a third time and,

The question being on the passage of the bill

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Berry, Cravens, Delevan, Dunn, Ellis, English, Evans, Goodman, Harvey, Herod, James, Kinnard, Logan, Marshall, McCarty, Milliken, Niblack, Odell, Sleeth, and Windstandley—23.

Those who voted in the negative were,

Messrs. Buckles, Day, Defrees, Dole, Hamrick, Hanna, Hardin, Holloway, Knowlton, Porter, and Teegarden—11.

So the bill passed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof: Nos. 147, 252, 349, 370, 297, 235, 208, 229, 181, 211, 357, 239, 193, 186, 168 and 15;

Which I am directed to bring to the Senate for the signature of the President thereof;

Also, Senate bill No. 15.

Whereupon the President affixed his signature to said bills.

Leave being granted,

Mr. Hanna offered the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate, House bill No. 257, and the amendment thereto of the Senate.

There being no quorum present,

The resolution was not adopted, when,

On motion by Mr. Delevan,

The Senate adjourned.

MONDAY MORNING, Feb. 10, 1851.

The Senate met.

On motion by Mr. Mickle,

Mr. Milliken was called to the chair.

On motion,

Reading the Journal was dispensed with.

Mr. Woods moved that leave of absence be granted to the committee appointed to investigate the charges against the Superintendent of the Insane Hospital;

Which was not granted.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following bills of the Senate, to-wit:

No. 270. An act to authorize the Commissioners of Ohio county to collect tolls at a certain bridge therein named.

No. 273. An act in relation to State Roads in Johnson county;

Without amendment.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bills of the House:

No. 276. An act for the better improvement of highways in the counties of Carroll and Delaware.

No. 342. An act amendatory to an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849.

REPORTS FROM SELECT COMMITTEES.

By Mr. Hamrick;

MR. PRESIDENT:

The select committee to whom was referred the petition of Daniel Chad and others on the subject of selling the county seminary of Putnam county, have had the same under consideration, and have directed me to report the same back to the Senate and recommend that it be laid on the table, and ask to be discharged from the further consideration of the same;

Which was concurred in.
By Mr. Mickle;

MR. PRESIDENT:

The select committee to whom was referred House bill, No. 361, have had that matter under consideration and directed me to report the same back to the Senate and recommend that it be laid on the

table, and ask to be discharged from the further consideration of the subject.

No. 361. A bill to amend section 24, chapter 10, of article 1, the Revised Statutes of 1843, so far as the same relates to the county of Allen;

Which was concurred in and the bill laid on the table.

By Mr. Berry;

MR. PRESIDENT:

The select committee to whom was referred a petition praying the passage of a law preparatory to a re-location of the public buildings of Franklin county, have had that subject under consideration, and as a remonstrance (of about ten to one) against the prayer of the petitioners has been received, your committee would respectfully recommend that the petition lie on the table.

Which was concurred in and the petition laid on the table.

Leave being granted,

Mr. Woods introduced the following resolution:

Resolved, That the Senate will meet hereafter at 8½ o'clock, A. M. and half past one o'clock P. M.;

Which was not adopted.

By Mr. Holloway;

MR. PRESIDENT:

The select committee to which was referred the petition of the Stockholders of the Hagerstown Canal Company, have had the same under consideration, and have directed me to report the following bill and recommend its:

No. 282. A bill to provide for the payment of the debts and liabilities of the Hagerstown Canal Company;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Cravens;

MR. PRESIDENT:

The select committee to whom was referred House bill No. 287, entitled an act to locate a State road from Bennettsville in Clark county, to Salem, in Washington county, have had the same under

consideration, and have directed me to report the bill back to the Senate with one amendment, after the adoption of which they recommend its passage:

Strike out section 5th and insert,

It shall be the duty of said commissioners to file a certified copy of their report, and survey in the office of each County Auditor through whose county said road shall be located, within thirty days after the location, which report and survey shall be by said Auditor laid before the Board of County Commissioners of said counties at their next meeting, who shall order the same to be entered on the record of their county, and order the road to be opened; *Provided*, That each county shall bear the expense incurred on said road within its respective limits;

Which report was concurred in, the amendment adopted, the rules suspended, the bill read a third time and passed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bill of the Senate No. 119, with the engrossed, and find it correctly enrolled.

On motion by Mr. Dunn,

The committee to whom was referred the petitions of citizens of Lawrence county, on the subject of Plank roads, was discharged from the further consideration of the same.

RESOLUTIONS INTRODUCED.

By Mr. Knowlton;

Resolved, That the House be requested to return to the Senate the Senate bill No. 65, an act to incorporate the Sparta and Versailles Turnpike company.

Which was adopted.

By Mr. Hamrick;

Resolved, That the House of Representatives be respectfully requested to return to the Senate bill No. 166.

Which was adopted.

By Mr. Sleeth;

Resolved, That from and after to-morrow at 2 o'clock, the introduction of new business into the Senate, except resolutions, shall not be in order during the present session.

Mr. Dole moved to lay the resolution on the table,
Which was decided in the negative.

Mr. Hanna moved to postpone the further consideration of the resolution until to-morrow, 10 o'clock,
Which was decided in the negative.
The resolution was then adopted.

By Mr. Goodman;

Resolved, That the committee on Finance be requested to report to the Senate, at the earliest practicable period, the House bill amending the law in relation to assessing property for taxation.

Which,
On motion by Mr. Mickle,
Was laid on the table.

BILLS INTRODUCED.

By Mr. Holloway;

No. 283. A bill to amend an act entitled an act to incorporate the Richmond and Newport Turnpike company, approved January 5, 1849;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Sleeth;

No. 284. A bill giving additional time to the Hancock Circuit Court;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. McCarty;

No. 285. A bill to incorporate the Widow and Orphan's Asylum of Indianapolis;

Was read a first time,

The rules suspended, the bill read a second time,

The rules further suspended, the bill read a third time and passed.

By Mr. Walker;
No. 286. A bill to incorporate the Logansport and Royal Centre Plank Road company;
Was read a first time, and,

On motion,
The rules were suspended, the bill read a second time and referred with the petitions on the same subject to the committee on Corporations.

By Mr. McCarty;
No. 287. A bill to incorporate the Trustees of the Indianapolis Female College;
Was read a first time, and
On motion,
The rules were suspended, the bill read a second time.

When,
Mr. Hanna offered the following amendment:
Add to 1st section,
Provided, Said company shall not be empowered under this act to hold or acquire real estate of a greater value than fifty thousand dollars.

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Walker;
No. 288. A bill to authorize the erection of a mill-dam across the Wabash river, in Cass county, Indiana;

Which was read a first time, the rules suspended, the bill read a second time and referred to Senators Walker, Teegarden, Odell, Henton and Turman.

By Mr. Turman;
No. 289. A bill in relation to common school examiners and teacher's licenses;

Which was read a first time, the rules suspended, the bill read a second time and referred to the committee on Education.

By Mr. Odell;
No. 290. A bill to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad company;

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

On motion by Mr. Winstandley,
The vote indefinitely postponing House bill No. 225, to authorize Riley Sexton to take a change of venue, was reconsidered.
The question being on ordering the bill to a third reading,
Was decided in the negative.

By Mr. Day;
No. 291. A bill for the protection of an orphan;
Was read a first time, and
On motion,

The rules were suspended, the bill read a second time and
On motion,

The rules were further suspended, the bill read a third time and passed.

Leave being granted,
Mr. Niblack made the following report:

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the House, No. 160, entitled, an act for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects and corporation stock in the State of Indiana, have had the same under consideration, and have instructed me to report the same back to the Senate for its action, and ask to be discharged from the further consideration of the subject.

Mr. Dunn moved to refer the bill to the committee of the whole, and make it the special order of this day at 2 o'clock.

Mr. Milliken moved to amend by saying instantler.

Which prevailed.

The Senate then went into committee of the whole on the consideration of the bill,

Mr. Hardin in the chair.

The committee of the whole, after having spent some time in consideration of the bill, rose, reported the following amendment, and asked leave to sit again.

Strike out of the second section all that relates to taking and subscribing an oath, and insert in the proper place — section:

SEC. —. If any person, when legally required by the assessor, shall refuse to give a list of his capital, money, or other taxable property contemplated by the provisions of this act, or shall fraudulently or intentionally omit to give any part of his capital or property liable to taxation, and required by law to be assessed and listed, or shall fix a fraudulent value thereon, every person so offending shall, upon due conviction thereof, be fined in any sum not exceeding ——— dollars.

Mr. Harvey moved to lay the amendment on the table.

Pending which,

On motion by Mr. Porter,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

Nos. 123, 124, 137, 76, 136, 183, 153, and 119.
which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

ORDERS OF THE DAY.

Senate Bills on third reading.

No. 117. A bill to authorize the Madison and Indianapolis Railroad Company to change the location of part of said road.

Which was read a third time.

Mr. Hanna offered the following amendment:

Provided, That nothing in this act shall be so construed as to give said company the power to locate any other than a main track between the city of Madison and the city of Indianapolis.

Which was adopted by unanimous consent, and the bill passed.

No. 242. A bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved January 21, 1850;

Was read a third time and passed.

No. 255. A bill to incorporate the Liberty and Centreville Railroad Company;

Was read a third time and passed.

No. 266. A joint resolution in relation to the interest of the State in the Madison and Indianapolis Railroad;

Was read a third time.

The question being on the passage of the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Brugh, Cravens, Day, Defrees, Dole, Eddy, Ellis, English, Goodman, Hamrick, Harvey, Holloway, Kinnard, Knowlton, Marshall, McCarty, Teegarden, Turman, Walker, and Woods—20.

Those who voted in the negative were,

Messrs. Adams, Allen, Berry, Buckles, Delevan, Dunn, Hanna, Hardin, Mickle, Miller, Milliken, Niblack, Odell, Porter, Sleeth, and Winstandley—16.

So the bill passed.

HOUSE BILLS ON THIRD READING.

No. 74. A bill in relation to sales of land forfeited to the State by borrowers of college and other funds;

Was read a third time and passed.

No. 151. A bill to amend the charter of the town of Terre Haute;

Was read a third time and passed.

No. 219. A bill to incorporate the Resing Sun Hotel Company;

Was read a third time and passed.

No. 228. A bill providing for the annexation of Lamasco to Evansville;

Was read a third time and passed.

No. 288. A bill to locate a State road in the counties of Montgomery and Tippecanoe;

Was read a third time and passed.

No. 253. A bill to regulate the mode of doing township business in the county of Wabash;

Was read a third time and passed.

No. 309. A bill to fix the compensation of Clerks of the Circuit Courts in cases of naturalization in the Twelfth Judicial Circuit;

Was read a third time and passed.

No. 314. A bill to change the time of holding the Circuit Courts in the Thirteenth Judicial Circuit;

Was read a third time, when

Mr. Milliken offered the following amendment:

Strike out the following, to-wit:

In the county of Decatur on the first Mondays of October and April,

And insert the following, to-wit:

In the county of Decatur the first Mondays of October and April, after the close of the court in Ripley county.

Which amendment was adopted by unanimous consent, and the bill passed.

No. 321. A bill to incorporate the Wabash and Marion Plank Road Company.

Was read a third time and passed.

No. 337. A bill to extend an act entitled "an act to authorize the Sheriff of Lawrence county to serve process issued by Justices of the Peace in certain cases, to the county of Owen;"

Was read a third time and passed.

No. 344. An act to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts;

Was read a third time and passed.

No. 362. A bill to repeal an act to amend the Statute providing for taking a change of venue in criminal cases, as far as Allen county is concerned, approved January 16th, 1849;

Was read a third time and passed.

No. 363. A bill to extend the Terre Haute and Alton railroad;

Was read a third time and passed.

No. 377. A joint resolution suspending the operation of a certain act therein named;

Was read a third time and passed.

No. 385. An act providing for electing township assessors in Rush county;

Was read a third time and passed.

No. 395. A bill to locate a State road in the counties of Marion and Boone;

Was read a third time and passed.

No. 402. A bill to repeal the act entitled an act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county, approved January 21st, 1850;

Was read a third time and passed.

On motion by Mr. Harvey,

The previous order of business was suspended, and

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House herewith returns to the Senate, according to resolution thereof, bill

No. 166. An act to incorporate the Indiana Monumental Association.

On motion by Mr. Harvey,

The vote on the passage of the bill was reconsidered,

When

Mr. Harvey offered the following amendment:

Strike out the 6th section and insert the following:

SEC. 6. So soon as the accumulated funds of said association shall amount to the sum of ten thousand dollars, said association shall proceed to the construction and erection of a monument on such site as said association may acquire in or near the city of Indianapolis, by purchase or donation; such monument to be constructed of durable materials, and of such height and dimension as shall be worthy of the pride and gratitude of the State.

Which amendment was adopted, and the bill passed.

On motion by Mr. Harvey,

The vote on indefinitely postponing

No. 207. A bill to amend article 5, of chapter 48, of the Revised Statutes of 1843, in relation to the writ of *ad quod damnum*,
Was reconsidered, and the bill ordered to be engrossed.

On motion by Mr. Milliken,

No. 174. A bill of the House to authorize the building of a bridge across Laughery creek by Andrew Morgan;

Was taken from the table, the rules suspended, the bill read a third time and passed.

ORDERS OF THE DAY RESUMED.

Senate Bill on Second Reading.

No. 275. A bill to prevent some of the evil effects of retailing spirituous liquors;

Was read a second time, when,

On motion by Mr. English,

The bill was laid on the table.

HOUSE BILLS ON SECOND READING.

No. 234. A bill amending sections 48, 49, and 50, of chapter 29, of the Revised Statutes of 1843;

Was read a second time and referred to the Judiciary committee.

No. 327. A bill dispensing with complete records, and regulating the fees of Clerks in Probate Courts in certain cases;

Was read a second time and referred to the Judiciary committee.

No. 333. A bill to extend the time of holding the sessions of the Board of County Commissioners of Warren county;

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 338. A bill to incorporate the Wabash, Warsaw, and Goshen Plank Road Company;

Was read a second time, the rules suspended, the bill read a third time and passed.

No. 372. A bill providing for the election of three School Commissioners in township No. 12, of range No. 11 east, situated in the counties of Franklin, Rush, and Decatur;

Was read a second time and ordered to a third reading.

On motion,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the House has passed the following engrossed bills of the House, to-wit:

No. 343. An act to amend the several acts now in force in relation to widows.

No. 360. An act for the relief of the owners of lands mortgaged to the Sinking Fund.

No. 377. An act to authorize the formation of Gas Light Companies.

No. 383. An act to incorporate the Franklin Insurance company.

No. 386. A joint resolution directing the State Librarian to allow the Ladies of the Owen Testimonial the use of the Hall of the House of Representatives.

No. 388. An act to authorize the city of Madison to borrow money.

No. 422. A joint resolution in relation to papers and records appertaining to the Wabash and Erie canal, its extensions and feeders.

No. 110. An act to amend article four of chapter 45, Revised Laws of A. D. 1843, on the subject of partition.

No. 423. An act to authorize the County Commissioners of Pike county to make an appropriation therein named.

No. 424. An act to incorporate the Aurora Hotel company.

No. 425. An act to locate a State road in the counties of Tipton and Howard.

No. 427. An act to amend the charter of the town of Dublin, in Wayne county.

No. 428. An act to repeal an act entitled an act to regulate the practice of law in the Lagrange Circuit Court.

No. 429. An act surrendering the right of way to railroad companies across swamp lands.

No. 438. An act to authorize Joseph Morrow, Silas Parks and Robert Wilson, Commissioners appointed by the Grant Probate Court, to sell the real estate of William Wallace, deceased, at private sale.

No. 439. An act to enable John Fravis, of Laporte county, to prosecute a suit for a divorce.

No. 426. An act to reinstate the office of County Auditor in the county of Jefferson.

No. 434. An act reducing fees for taking acknowledgments of mortgages to the Trust funds.

No. 433. An act to amend the charter of the Evansville and Illinois Railroad company.

No. 435. A joint resolution in relation to the slave trade.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message Nos. 110 and 343, were severally read a first time, the rules suspended, the bills read a second time and referred to the Judiciary committee.

Nos. 360, 423, 424, 425, 429, 434 and 435, were severally read a first time and passed to a second reading.

Nos. 388, 422, 427, 428, 438 and 439, were severally read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 383, was read a first time, the rules suspended, the bill read a second time and referred to Senators Hardin, Berry and Kinnard.

Nos. 377 and 433, were severally read a first time, and,

On motion,

The rules were suspended, the bills read a second time, and referred to the committee on Corporations.

No. 386, was read a first time, the rules suspended, the bill read a second time,

When,

On motion by Mr. Hardin,

The bill was laid on the table.

No. 426, was read a first time, and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Hardin, Hamrick and Harvey.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof.

No. 291. An act to provide for the defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes.

In which the concurrence of the Senate is respectfully requested.

Which was read a first time, the rules suspended, the bill read a second time,

When,

Mr. Hanna offered the following amendment:

Strike out from the enacting clause and insert,
That it shall be the duty of the several boards doing county business in this State to settle with and adjust the claims of all county surveyors, and other persons employed in selecting and designating

the overflowed and swamp lands in this State, under an act of Congress of the 28th of September, 1850, upon that subject. Said boards shall have power and authority to examine, on oath, the claimants, and all other persons they may see proper to call before them, touching said claims, and the amount to be allowed therefor. That said boards shall make such allowances as shall appear right and proper in the premises, and issue and deliver to said claimants orders, payable out of the county treasury therefor, which orders shall be payable, as other orders, out of the general funds of the county, and said sums, so paid by the several counties, shall be a lien on the first monies received by the State from the sale of said lands.

SEC. 2. The Treasurer of State shall pay to the several county treasurers, upon the draft of the county auditor, the sum so expended by each county, out of the first funds received from the sale of said lands, and that said counties shall be entitled to interest upon the sum paid by each, from the time the county orders issue therefor, until the State pays the same.

SEC. 3. The county boards, in making settlements with surveyors, and others, shall allow said surveyors three dollars per day, their deputies not exceeding two dollars, and other hands not exceeding one dollar per day, for the time by each of them actually employed about said work, which sum shall be in full of all claims, and no claim or time shall be allowed for mapping, platting, or paper work, except for making out a list of said lands belonging to the State, in their respective counties.

SEC. 4. The Secretary, Auditor, and Treasurer of State are hereby authorized to settle with the several registers, or receivers, of the U. S. land offices in this State, and with the clerk for the Governor, and make them such allowances as to them may seem proper and right for any services which they may have rendered to the State under said act of Congress; which sums, when so fixed by said officers, shall be paid by the Treasurer of State out of the funds arising from the sale of said lands, upon the warrant of the Auditor of State, as other payments are made. And before such settlement said register shall make out, and file in the office of the Auditor of State, a plain and full itemized account of the matters and things for which such register is received, claims payment, stating the amount claimed for himself, and what for, and the amount for each assistant, and what for, and the time employed by each person in said service, and price of his service charged, and said account shall be verified by the oath of such register and receiver, and remain in the office as a voucher for whatever payment may be made thereon by the State.

SEC. 5. That said lands so granted as aforesaid by the United States to the State of Indiana, after the selections made under the orders of the Governor shall have been confirmed by the proper department of the federal government, shall be subject to entry at the same prices as the public lands of the United States, in the several land districts of this State.

SEC. 6. That said lands shall be subject to such entry at the several United States land offices in this State, and the several registers of said offices are hereby authorized, as State registers, to issue applications for the purchase of said lands, or any part thereof, which said applications shall be presented to the several receivers of said offices, who are hereby authorized, as State receivers, upon the presentation of said applications, and reception of the same, and the proper sum of money, at the prices above designated, to give to the purchaser a certificate, or duplicate, of purchase which shall entitle said purchaser to a patent for said land, to be hereafter provided for and issued.

SEC. 7. That said registers and receivers of the several land districts, shall be governed by the rules and regulations in relation to the sale of the public lands of the United States, so far as the same do not conflict with the above act of Congress, of the 28th of September, 1850, or with this act.

SEC. 8. That the sum of ten thousand dollars, of the first money received into the State treasury under this act, be, and the same is hereby appropriated to meet the various expenditures herein provided for.

SEC. 9. Every purchaser of any such lands, in addition to the payment of the above price, shall be liable for and shall make or pay for all necessary drainage of the land purchased by him, and such condition and liability shall be a lien on such land, and shall be recited on his duplicate and patent or deed therefor.

SEC. 10. Said register and recorder shall each give bond to the state of Indiana, to be approved by the Governor, in the sum of ten thousand dollars, or such other sum as the Governor shall direct, for the faithful performance of his respective duties, and the payment of all money which shall come into his hands from the sale of said land according to law.

SEC. 11. Said receivers shall respectively pay over, under the direction of the State Treasurer, monthly, all money in his hands arising from such sales, into the state treasury or to such other convenient point as said treasurer shall direct, and shall fully settle up at such time all of his monthly account, and receive full receipt therefor.

SEC. 12. The registers of each land office shall, monthly, transmit to and file in the office of the auditor of state all certificates and receipts for the sale of land and payment of money therefor, issued by the treasurer of said land office of his district; which shall be registered by said auditor.

SEC. 13. Each register and recorder shall keep a record, distinct and separate from the United States records, of each and every tract of land sold and paid for, containing a description of said tract, time of sale, number of acres, purchaser's name and residence, and price paid for it; which record and register shall, from time to time, as the legislature shall direct, be transmitted to and filed among the

records of the state; and said registers and receivers shall each receive, as compensation for all services in and about said sales and entries, one per cent. upon the money realized from said sales; and no other compensation whatever, except that the recorder may be paid and allowed, from time to time, the actual expenses of transportation of money from their offices to the place of deposit.

SEC. 14. The money received from the sale of such lands, and all of the lands so granted to this state by said act of Congress, over and above what shall be expended and required for paying the expense of the drainage thereof, shall be and the same is hereby forever appropriated and pledged for the payment of our public debt, in such manner as the legislature shall direct.

SEC. 15. That the treasurer of state be and he is hereby directed to apply to the proper department of the government of the United States, and demand and receive the price of and purchase money received by the United States, or hereafter to be so received for any and all lands sold by the United States, either for cash or otherwise, since the passage of said act of Congress, which land vested in this state by virtue of said act; and when said money shall be received, to hold the same in the state treasury, subject to the payment of the expenses of realizing and securing the said land, and such other purpose as shall be directed by law. And upon the receipt of said money from the United States as aforesaid, this state does hereby relinquish all right and claim to such lands so sold by the United States, and accepts the consideration money aforesaid in lieu thereof; and thereafter the said lands so sold as aforesaid by the United States, shall be vested in the purchasers thereof in fee simple forever, subject to the lien and liability for drainage thereof, as other swamp or overflowed lands sold by the state of Indiana shall be liable.

SEC. 16. Any person who shall commit a trespass, or shall in any way wilfully injure or waste any land or timber or wood thereon, belonging to the State of Indiana, shall be liable to a prosecution and indictment therefor, and upon conviction shall be fined in any sum not less than three times the amount in value of the injury done.

SEC. 17. This act to take effect and be in force from and after its passage.

Which was adopted, the rules suspended, the bill read a third time and passed.

The Senate resumed the

ORDERS OF THE DAY.

No. 393. A bill to repeal a Plank Road law of Huntington and Whitley counties;

Was read a second time and ordered to a third reading.

No. 396. A bill to create a school district in Marshall county; Was read a second time and ordered to a third reading.

No. 401. A bill to establish additional places of holding elections in certain counties therein named, was read a second time and ordered to a third reading.

No. 403. A joint resolution for the relief of Cap't. William Waldo; Was read a second time, and,

On motion,

The rules were suspended, the bill read a third time, and

On motion by Mr. Holloway,

The bill was laid on the table.

No. 406. A bill to prevent Attorneys from doing the duties of Sheriff in Tippecanoe county.

Mr. Buckles moved to indefinitely postpone the bill.

When,

On motion by Mr. Odell,

The bill was laid on the table.

No. 413. A bill to amend an act therein named;

Was read a second time, and,

On motion,

The rules were suspended, the bill read a third time and passed.

The following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the first engrossed amendment of the Senate to bill of the House, entitled,

No. 156. An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad company, approved January 15, 1849, so far as relates to the county of Daviess.

And have refused to concur in the second.

Which,

On motion by Mr. Ellis,

Was laid on the table.

The following message from the House was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with two amendments:

No. 227. An act to authorize Wm. M. Miller, administrator of the estate of James K. Hemphill, to make a deed to John Vawter.

In which amendments the concurrence of the Senate is respectfully requested.

Which amendments were concurred in by the Senate. Also, the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

No. 373. An act to amend an act entitled an act concerning free negroes and mulattoes, servants and slaves, approved January 10, 1831;

In which the concurrence of the Senate is respectfully requested.

On motion by Mr. Holloway;
The bill was rejected.

Also, the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed the following engrossed bills of the House, to-wit:

No. 371. An act declaring a certain name a misprint.

No. 355. An act to attach the south half of section No. 5, in township No. 3, in range No. 8 east, to the county of Scott.

No. 412. An act for the relief of purchasers of school lands in the county of Lagrange.

No. 441. An act for the relief of persons who have suffered by the destruction of the Justices' docket of Joseph F. Marshall, a Justice of the Peace of the county of Hancock, on the 24th day of December, 1850.

No. 442. An act to authorize the Board of Commissioners of Putnam county to issue bonds.

No. 443. An act to aid in the collection of the surplus revenue in Carroll county.

No. 444. An act for the benefit of James W. Edmondson, of Hancock county.

No. 446. An act to vacate a certain street in the town of Crawfordville.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message,

Nos. 371, 412, 441, 443 and 446, were read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 355 was read a first time, and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Marshall, English and Cravens.

No. 442 was read a first time, the rules suspended, the bill read a second time and referred to Senators Hamrick, Holloway and Harvey.

No. 444 was read a first time, the rules suspended, the bill read a second time, and,

On motion by Mr. Mickle,

The bill was laid on the table.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 331. An act for the relief of the assignees of J. & E. L. Beard.

In which the concurrence of the Senate is respectfully requested.

No. 331 was read a first time, and passed to a second reading.

Also, the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the House, to-wit:

No. 440. An act to amend an act entitled an act for the call of a Convention of the People of the State of Indiana to revise, amend or alter the Constitution of said State.

In which the concurrence of the Senate is respectfully requested.

No. 440, contained in the message, was read a first time, the rules suspended, the bill read a second time,

When,

Mr. Milliken offered the following amendment:

Strike out the words "and colonization."

Mr. Hardin moved to lay the amendment on the table.

Those who voted in the negative were,

Messrs. Adams, Dole, Goodman, Hardin, McCarty, Miller, Sleeth, Teegarden and Turman—9.

No quorum voting,

Mr. Cravens moved the Senate adjourn;

Which was decided in the negative.

The question being on reconsidering the vote,

The ayes and noes were again demanded.

Those who voted in the affirmative were,

Messrs. Allen, Brugh, Buckles, Cravens, Day, Defrees, Delevan, Dunn, Ellis, English, Hamrick, Harvey, Holloway, Kinnard, Knowlton, Logan, Marshall, Milliken, Niblack, Odell, Porter, Walker, Winstandley and Woods—24.

Those who voted in the negative were,

Messrs. Adams, Dole, Goodman, Hardin, McCarty, Miller, Sleeth, Teegarden, and Turman—9.

No quorum having voted,

On motion by Mr. Dunn,

A call of the Senate was ordered.

Mr. Hardin moved that the Senate adjourn.

Which was decided in the negative.

Mr. Hanna moved to lay the motion to reconsider on the table.

Which did not prevail.

When,

Messrs. Hardin and Adams demanded the ayes and noes on reconsidering the vote.

Those who voted in the affirmative were,

Messrs. Allen, Brugh, Buckles, Cravens, Day, Defrees, Delevan, Dunn, Ellis, English, Hamrick, Harvey, Holloway, Kinnard, Knowlton, Logan, Marshall, Milliken, Niblack, Odell, Porter, Walker, Winstandley, and Woods—24.

Those who voted in the negative were,

Messrs. Adams, Dole, Goodman, Hardin, McCarty, Miller, Sleeth, Teegarden, and Turman—9.

No quorum voting,

Mr. English moved that the Senate adjourn;

Which was decided in the negative.

Mr. Miller moved the Senate adjourn;

Which did not prevail.

The vote was then reconsidered.

When,

On motion by Mr. Porter,

The amendment was laid on the table.

Mr. Hanna offered the following amendment;

Strike out "five hundred" wherever it occurs, and insert "fifty" in place thereof.

Which,

On motion by Mr. Marshall,

Was laid on the table.

When,

On motion,

The rules were suspended, the bill read a third time and passed.

Mr. Dunn moved to reconsider the vote on the passage of the bill;

Which was decided in the negative.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have receded from their disagreement to the engrossed amendment of the House to engrossed bill of the Senate

No. 159. An act to authorize the Township Trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge company tax.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 214, 187, 155, 193, 175, 205, 126, 221, 252, 225, 195, 209, 219, 186, and 191, with the engrossed, and find them correctly enrolled.

Leave being granted, the following bills were introduced:

By Mr. Niblack;

No. 292. A bill for the relief of the estate of John Reily, late of Martin county, deceased;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Buckles;

No. 293. A bill changing the time of holding Probate Courts in Grant county;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

On motion by Mr. Harvey.

No. 150. A bill providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State;

Was taken from the table and,

On motion,

The vote ordering the bill to be engrossed was reconsidered, and the bill referred to Senators Harvey, Niblack, and Cravens.

By Mr. Teegarden;

Mr. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 240 and 226, with the engrossed, and find them correctly enrolled.

Leave being granted, the following report was made:

By Mr. Buckles;

Mr. PRESIDENT:

The select committee, to whom was referred bill of the House No. 399, an act for the relief of Samuel Shimer and other purchasers of school lands in Randolph and Delaware counties, have had the same under consideration, and directed me to report it back to the Senate and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

On motion,

The Senate adjourned.

TUESDAY MORNING, February 11, 1851.

The Senate met.

On motion,

The reading of the Journal was dispensed with.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

Mr. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the House, to-wit:

No. 363. An act to extend the Terre Haute and Alton Railroad;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

REPORTS FROM STANDING COMMITTEES.

By Mr. Winstandley;

Mr. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 377, entitled, "an act to authorize the formation of Gas Light Companies," have had the same under consideration, and directed me to report it back to the Senate without amendment and respectfully recommend its passage;

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Niblack;

Mr. PRESIDENT:

The committee on Corporations to whom was referred bill of the House No. 405, entitled "an act to incorporate the Madison and Vevay Plank Road Company," have had the same under consideration, and have instructed me to report the same back to the Senate and respectfully recommend its passage.

Mr. Marshall offered the following amendment:

Amend the 6th section by adding the following:

Provided, That no gate for the collection of tolls shall be erected nearer than one mile of the corporate limits of the city of Madison as now or hereafter fixed; *And provided also*, That all rights and privileges under this act shall close if said company does not erect and complete a bridge across the stream at Eagle Hollow, within two years from the first of March next;

Which was adopted, the rules suspended, the bill read a third time and passed.

Leave being granted, the following bills were introduced:

By Mr. Dunn;

No. 294. A bill to incorporate the Bedford Central Plank Road Company;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Marshall;

No. 295. A bill to invest the Michigan Road fund;

Was read a first time, when

Mr. Hanna moved to reject the bill, which was decided in the affirmative.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to engrossed bills of the House:

No. 238. An act to restrict the powers of the Grand Jury of Shelby, Rush, Daviess and Martin counties, and to limit the time of their sessions.

No. 293. An act to incorporate the Albion and Lisbon Turnpike Company.

No. 418. An act to legalize the tax sales made by the Mayor of the city of Fort Wayne, Allen county, Indiana.

No. 313. An act to change the time of holding the Circuit Courts in the 13th Judicial Circuit;

No. 363. An act to extend the Terre Haute and Alton Railroad.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the House No. 36, an act to extend the time of holding courts in the county

of Tipton, have had the same under consideration, and directed me to report it back to the Senate with one amendment, and when said amendment is adopted, recommend the passage of the bill.

Amend by striking out all after the enacting clause in the 1st section and insert the following:

That hereafter the Circuit Court in the county of Hamilton, shall sit twelve days if the business thereof shall require it. The Circuit Court in the county of Tipton shall commence on the Monday next succeeding the Circuit Court in the county of Hamilton, and shall sit six days if the business thereof shall require it. The Circuit Court in the county of Grant shall commence on the Monday next succeeding the Circuit Court in the county of Tipton and shall sit twelve days if the business thereof shall require it. The Circuit Court in the county of Jay shall commence on the Monday next succeeding the Circuit Court in the county of Grant, and shall sit six days if the business thereof shall require it. And the Circuit Court in the county of Blackford shall commence on the Monday next succeeding the Circuit Court in the county of Jay, and shall sit six days if the business thereof shall require it.

Which was concurred in, the amendment adopted, the rules suspended, the bill read a third time and passed.

When,

On motion by Mr. Buckles,

The title of the bill was amended as follows:

By striking out the words "County of Tipton," and insert the words "Eleventh Judicial Circuit."

Leave being granted, the following reports were made:

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred the petition of fifty persons, asking the removal of a milldam in Crawford, together with the remonstrance of one hundred and ninety-six persons of the same county against legislation on the subject, have had the same under consideration, and directed me to report that in the opinion of your committee, legislation (under existing circumstances) is inexpedient. The indefinite postponement of said petition and its subject matter is therefore respectfully recommended.

Which was concurred in, and the subject indefinitely postponed.

By Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations to whom was referred House bill No. 133, entitled an act to extend the Martinsville and Franklin railroad, have had the same under consideration, and have directed

me to report it back with the following amendments, which, when adopted, recommend its passage:

Amend section 1st by inserting after the word "canal," in the sixth line of said section the words, "within five miles of Point Commerce on said canal."

Also amend by striking out the eighth and ninth sections from said bill.

Which was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred House bill No. 364, an act incorporating the Madison and Cross-Plain Plank Road Company, have had the same under consideration, and instructed me to report it back without amendment, and recommend its passage.

Which was concurred in.

Mr. Marshall, offered the following amendment:

Amend by adding after the 15th section the following section, viz:

SEC. 16. No gate for the collection of tolls shall be erected nearer than one mile of the corporate limits of the city of Madison.

Amend 16th section by striking out "16" as the number of said section, and insert "17."

Which was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Defrees;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 243, a bill to amend an act to incorporate the Decatur, Portland and Winchester Plank Road Company, have had the same under consideration, and instructed me to report the same back without amendment, and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Teegarden;

MR. PRESIDENT:

The committee on Elections, to whom was referred Senate bill No. 274, a bill relative to township election where there are more than one precinct in any township, have instructed me to report the

same back to the Senate, and after the adoption of the following amendments, to recommend its passage:

Amend by adding to the second section,

Provided, That the provisions of this act shall extend only to the counties of Daviess and Martin.

Also, by adding to the 3d section the words "so far as relates to said counties of Daviess and Martin."

Which amendments were adopted, the rules suspended, the bill read a third time and passed.

When;

On motion by Mr. Niblack,

The title was amended by adding, "in the counties of Daviess and Martin."

By Mr. Hamrick;

MR. PRESIDENT:

The joint committee, to whom was referred resolution of the Senate, inquiring into the condition of the State House roof, have had the same under consideration, and have made a personal examination of said roof, and in the opinion of said committee the condition of said roof is such that it is inexpedient to attempt to repair the same, and that the preservation of the house requires a new roof; your committee, therefore, have directed me to report the following bill and recommend its passage:

No. 296. A bill relative to the State House roof.

Was read a first time and,

On motion,

The rules were suspended; the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Hardin;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House, No. 426, to reinstate the office of County Auditor in Johnson county, have had the same under consideration, and have instructed me to report the same to the Senate, without amendment, and recommend its passage.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Hardin:

Mr. President:

The select committee, to whom was referred bill of the House, No. 383, to incorporate the Franklin Insurance Company, have had the same under consideration, and have instructed me to report the same to the Senate, with one amendment, and upon its adoption to recommend its passage:

Amend by inserting after the word "company," in the 18th line of the 3d section, these words, "but in no case under this act shall loan or loans be made at a greater rate of interest than six per cent. per annum."

Which was concurred in, the amendment adopted, the rules suspended, the bill read a third time and passed.

By Mr. Woods:

Mr. President:

The select committee, to whom was referred the application of John D. Haynes, asking the Legislature to make certain amendments to the charter of the city of Aurora, have had the subject under consideration, and have directed me to report that it is inexpedient to legislate on that subject at this time.

Which was concurred in.

By Mr. Harvey:

Mr. President:

The select committee, to whom was referred bill of the Senate No. 150, have considered the same, and instructed me to report said bill back with one amendment, upon the adoption of which they recommend the passage of said bill.

No. 150. A bill providing for the location of a State road, from Troy, in Perry county, to Spencer, in Owen county, in this State.

Amend by striking out the 5th, 6th, and 7th sections.

Which was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Adams, from the committee on Enrolled Bills:

Mr. President:

The committee on Enrolled Bills, have compared enrolled bills of the Senate Nos. 194, 189, 176, 103, 106, 152, and 260, with the engrossed and find them correctly enrolled.

By Mr. Cravens:

Mr. President:

The majority of the select committee, to whom was referred House bill No. 355, entitled an act to attach the south half of section No. 5, in township 3, in range 8 east, to the county of Scott, and petition on the same subject, have had the same under consideration, and have instructed me to report the bill back to the Senate and recommend its passage.

The question being on ordering the bill to a third reading,

Those who voted in the affirmative were,

Messrs. Adams, Athon, Berry, Brugh, Delevan, Eddy, English, Hanna, Hardin, Henton, Hunt, Kinnard, Mickle, Milliken, Niblack, Sleeth, Walker, Winstandley, and Woods—19.

Those who voted in the negative were,

Messrs. Alexander, Allen, Buckles, Cravens, Day, Defrees, Dunn, Ellis, Evans, Graham, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Montgomery, Odell, Porter, Teegarden, and Turman—21.

So the bill was not ordered to a third reading.

By Mr. Hardin:

Mr. President:

The select committee to whom was referred bill of the House No. 236, incorporating the White River Navigation Company, have had the same under consideration, and have instructed me to report the same back to the Senate with several amendments, and upon their adoption to recommend its passage.

1st. Strike from the bill all that relates to the tributaries of White river, and the tributaries of the west fork of White river.

2d. Strike out from the word "river," in the 12th line, to and including the word "same," in the 15th line, and insert the words "partial dams for the purpose of contracting the waters of said river, in the deepest channel thereof," but such partial dams shall not exceed two feet in height above low water mark.

3d. Strike out 3d section.

Strike out the 4th section and insert "said company and their assigns shall have and enjoy the sole and exclusive right for the term of twenty years from the passage of this act, to navigate said river with vessels propelled by steam, from Point Commerce to the

Feeder dam, in Morgan county, or to any point above said dam, approved as aforesaid, upon the condition that said company shall, within 4 years from the passage of this act, improve the navigation of the same, so as to navigate, and run boats propelled by steam, and adapted to the carrying of freight and passengers over the whole distance, as aforesaid, at least three months in each year.

Which amendments were adopted, the rules suspended, the bill read a third time and passed.

By Mr. Hamrick;

MR. PRESIDENT:

The select committee to whom was referred bill of House No. 442, have had the same under consideration, and have directed me to report the same back to the Senate with one amendment, and upon the adoption of which they recommend its passage.

No. 442. A bill to authorize the board of commissioners of Putnam county to issue bonds.

Amend 7th section by adding after the word "passage," the words "and it is hereby made the duty of the Secretary of State to forward a certified copy of this act to the clerk of the Putnam circuit court."

Which was concurred in, the amendment adopted, the rules suspended, the bill read a third time and passed.

By Mr. Cravens;

MR. PRESIDENT:

A majority of the select committee to whom was referred bill of the House No. 285, entitled an act to incorporate the New Albany and Vincennes Plank Road Company, have had the same under consideration, and have instructed me to report the bill back to the Senate with one amendment, and recommend its passage.

Amend by striking out section 26 and inserting as follows:

Said company shall pay on the scrip legally issued and out-standing against the said New Albany and Vincennes road, ten per cent. per annum, including principal and interest, until the said scrip shall be redeemed. *Provided*, The same does not exceed the amount annually collected by tolls after deducting the expenses.

Which amendment was adopted.

Mr. Ellis moved to amend by inserting the name of Samuel Emerson as commissioner for Knox county.

Which was adopted.

Mr. Niblack offered the following amendment:

Amend by striking out the name of "Thomas Gibson, as commissioner of Martin county," and insert the names of Aaron Haughton

and Thomas S. Brooks. Also, add the name of James Alexander, of Washington county, and John Van Trees, of the county of Daviess.

Which amendment was adopted.

Mr. Dunn offered the following amendment:

And said company shall also, within three years from this date, locate, construct, and complete a branch of said road from a point on the main line of said road at or near the town of Paoli, to the town of Orleans, in the county of Orange, and whenever said branch shall be completed, said company shall have power and authority to demand and receive tolls on such branch of like rates as those to be charged on the main line of said road. *Provided*, That no gate for the collection of such branch shall be erected within one mile of said town of Paoli or said town of Orleans.

Mr. Cravens offered the following amendment to the amendment:

Provided, Said company shall deem it to the interest of said company to build said branch.

On motion by Mr. Cravens,

A call of the Senate was ordered, and a quorum found present.

When,

On motion by Mr. Winsteadley,

The further call of the Senate was dispensed with.

The question being on the adoption of the amendment to the amendment,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Allen, Buckles, Cravens, Defrees, Ellis, English, Evans, Graham, Hardin, Harvey, Henton, Holloway, Hunt, Kinnard, Marshall, Mickle, Niblack, Porter, Teegarden, Walker, Winsteadley, and Woods—22.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Berry, Brugh, Delevan, Dole, Dunn, Eddy, Hamrick, Hanna, Knowlton, McCarty, Milliken, Montgomery, Odell, and Sleeth—17.

So the amendment to the amendment was adopted.

On motion,

The amendment as amended was laid on the table.

When

Mr. McCarty offered the following amendment:

That the State shall, at their pleasure, after twenty years, have the right of redemption of said road by paying to said company the appraised value of the existing improvements that may have been made by said company, separate and apart from any work that may

have been made by the State, the use by the company of the road for the time in their possession, to compensate for any wear and tear.

Mr. Hanna moved to amend the amendment by inserting in the proper place "or their assigns."

Which was not adopted.

The question being on the adoption of the amendment proposed by Mr. McCarty,

It was adopted, the rules suspended, the bill read a third time.

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Buckles, Cravens, Defrees, Ellis, English, Holloway, Hunt, Kinnard, Marshall, McCarty, Niblack, Porter, Turman, Winstandley, and Woods—15.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Day, Delevan, Dole, Dunn, Eddy, Evans, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Knowlton, Mickle, Milliken, Montgomery, Odell, Sleeth, Teegarden, and Walker—26.

So the bill did not pass.

By Mr. Hanna;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 125, have directed me to report the same back without amendment, and recommend its passage.

No. 125. A bill to enable persons sustaining damages occasioned by the construction of the Wabash and Erie canal to have their damages assessed without further delay and for the more convenient service of process on the Trustees of said canal;

When,

On motion by Mr. Niblack,

The bill was laid on the table;

When immediately,

On motion by Mr. Dunn,

The bill was taken from the table,

The rules were suspended, the bill read a third time and passed.

By Mr. Hanna;

MR. PRESIDENT:

I herewith report back to the Senate, for its action thereon, the following memorials and joint resolutions, which have been heretofore referred to the committee on Federal Relations, to-wit:

A memorial on the subject of a canal around the falls of the Ohio.

A preamble and joint resolution, (from the House,) in relation to the improvement of the falls of the Ohio river.

A joint resolution on the subject of donating lands to the State for the use of the Alton, Mt. Carmel and New Albany Railroad.

A preamble and joint resolution relative to the Three per cent. Fund.

A memorial on the subject of Colonization.

A joint resolution of the State of Rhode Island on the subject of Slavery.

Resolutions of the Convention of Maryland on the subject of Slavery, &c.

Report and resolutions of the Legislature of the State of Mississippi on the subject of Slavery.

Which memorials, &c., were laid on the table.

By Mr. Mickle;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 440, have had the subject matter therein contained under consideration and a majority thereof have directed me to report the same back to the Senate with sundry amendments, and when so amended recommend its passage:

No. 440. A bill to amend an act entitled an act for the call of a Convention of the People of the State of Indiana, to revise, amend, or alter the Constitution of said State.

Sec. 3, line 25, after the word "polled," add the words, "for or against the adoption of said Constitution and said separate article."

Line 30, add after the word "polled," "for or against the adoption of said Constitution and said separate article."

Amend the 3d section as follows:

Strike out all of said section after the eleventh line and insert in lieu thereof the following:

"Shall have written or printed on his ticket these words 'no exclusion and colonization of negroes,' and every voter who is in favor

of adopting said article, shall have written or printed on his ticket these words, 'exclusion and colonization of negroes and mulattoes,' Which was adopted.

On motion by Mr. Harvey,

The further consideration of the bill was deferred until 2 o'clock, P. M.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, without amendment, to-wit:

No. 50. An act to incorporate the Liberty and Miami Railroad company.

No. 215. An act to incorporate the Danville and Claysville Plank Road company.

No. 256. An act in relation to bills of exception.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 218, 240, 226, 185, 158, 188, 191, 209, 195, 225, 252, 221, 126, 205, 175, 193, 155, 186, 184, 214, 219;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Report by Mr. Teegarden;

MR. PRESIDENT:

The committee, on enrolled bills have compared enrolled bills of the Senate No. 127, 228 and 178, with the engrossed, and find them correctly enrolled

On leave the following bills were introduced:

By Mr. Harvey;

No. 297. A bill to amend the practice in transitory actions; Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Wood;

No. 298. A bill to incorporate the Patriot and Allensville Turnpike company;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Mickle;

No. 299. A bill to authorize the removal of drift and obstructions from Little River, in Allen and Huntington counties;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Niblack;

No. 300. A bill to incorporate the Vincennes and Orleans Plank Road company;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time and referred to Senators Niblack, Ellis and Woods.

By Mr. Holloway;

No. 301. A bill to establish the *per diem* allowance of members of the General Assembly;

Was read a first time and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

By Mr. Turman;

No. 302. A bill to incorporate the Covington, Newtown and Lafayette Plank Road company;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

Referred to Senators Turman, Montgomery and Odell.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

Nos. 308, 255, 194, 62, 313, 298, 275, 250, 12, 215, 204, 213, 271, 269, 260, 259, 258, 216, 152, 135, 233, 345, 29, 124, 141, 304, 379, 367, 340, 86, 324, 180, 359, 245, 282, 356, 270, 326, 387, 153;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

By Mr. Cravens;

MR. PRESIDENT:

A majority of the committee on Finance, to whom was referred Senate bill No. 269, entitled an act making additional appropriations for the year 1851 upon the New Albany and Vincennes turnpike road, have had the same under consideration, and have instructed me to report the bill back to the Senate and recommend its passage.

When,

Mr. Niblack offered the following amendment:

SEC. —. That there shall in like manner be appropriated and expended upon that portion of said road west of Paoli and east of Mt. Pleasant, out of the tolls of said road, in addition to the appropriations already made for the year eighteen hundred and fifty-one, the further sum of five hundred dollars, to be expended under the direction of the superintendent of said road, in repairing that portion of said road and the bridges thereon, provided there shall be that amount remaining after expending the amount appropriated east of Paoli, and paying the calls on the Turner notes in the New Albany bank.

SEC. —. So much of said road as runs through the county of Martin shall be worked upon and kept in repair by the several road districts through which the same may run, as other public highways in said county; and all laws conflicting with the provisions of this section of this act be and the same are hereby repealed so far as relates to the county of Martin.

When,

Mr. Cravens moved to lay the amendment on the table.

Pending which,

On leave, the following petition was introduced:

By Mr. Berry;

The petition of John W. Hitt and others, praying the repeal of a certain act.

Was read, and

On motion,

Referred to the committee on Corporations.

On motion by Mr. Montgomery,

Leave of absence was granted to Mr. Dawson.

On motion by Mr. Berry,

Leave of absence was granted to Mr. Miller.

The following message was received from the House of Representatives by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed to inform the Senate, that the Speaker has signed the following enrolled bill of the House:

No. 65. A joint resolution on the subject of appropriating money for the erection of a public building.

Which I bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendments of the Senate to engrossed bills of the House:

No. 74. An act in relation to sales of land forfeited to the State by borrowers of the college and other funds.

No. 133. An act to extend the Martinsville and Franklin railroad via Spencer, in Owen county, to the Wabash and Erie canal.

No. 287. An act to locate a State road from Bennetsville, in Clark county, to Salem, in Washington county.

No. 288. An act to locate a State road in the counties of Montgomery and Tippecanoe.

No. 405. An act to incorporate the Madison and Vevay Plank Road Company.

On motion,

The Senate adjourned.

2 o'clock, P. M

The Senate met.

The President laid before the Senate the address of the pupils of the Indiana Deaf and Dumb Asylum,

Which, together with the address of the President of the Senate, was laid on the table, and,

On motion,

5000 copies ordered to be printed.

The following message was received from his Excellency the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 251. An act to amend an act entitled an act for incorporating the Wabash Manual Labor College and Teachers' Seminary, approved Jan. 15, 1834.

No. 15. An act for the relief of Joseph Allen, Elias Grant and Joseph Mathers, of Crawford county.

No. 363. An Act to extend the Terre Haute and Alton railroad.

No. 153. An act to incorporate the Evansville Hotel Company.

No. 136. An act for the relief of Ann Blythestone, of Allen county.

No. 183. An act declaring a part of Poison creek, in Perry county, a public highway.

No. 76. An act to amend the charter of the Madison Insurance Company.

No. 137. An act to relocate a State road in DeKalb county.

No. 124. An act to amend the act to incorporate the Brookville and Connersville Turnpike Company.

No. 123. An act to incorporate the New Trenton and Southgate Bridge and Road Company.

No. 119. An act to incorporate the Goshen and Plymouth Plank Road Company.

On motion by Mr. Dunn,

Bill No. 100. Authorizing the taking of newspapers for the State Library,

Was taken from the table;

When,

On motion by Mr. Dunn,

The vote ordering the bill to be engrossed was reconsidered.

When,

Mr. Dunn offered the following amendment:

Strike out from the enacting clause and insert as follows:

That it shall hereafter be the duty of the State Librarian to carefully file and preserve all such periodicals and newspapers, printed within this State, as may be voluntarily contributed by the publishers thereof to the State Library, and at the close of each volume of said periodicals, or newspapers, it shall also be his duty to prepare a manuscript index to each volume, in which shall be noted the contents of each number, designating such number, and to procure the binding thereof, which said newspapers, or periodicals, when so bound, shall be preserved in said Library for the inspection and use of such persons as are, or may be entitled by law to the privilege of said Library.

SEC. 2. It shall also be the duty of said Librarian to procure a substantially bound blank book, to be entitled "public benefactors," in which, on separate pages, the names, and the time and place of birth of all such publishers, or editors, as shall contribute their respective newspapers, or periodicals, to said State Library, shall be entered by said Librarian, and he shall also enter in said book the time when each paper is first received, and the time when discontinued.

SEC. 4. On the death of any publisher, or editor, thus contributing to the State Library, it shall be the duty of said Librarian to enter the date and place such death occurred, his place of residence, and also, if known, of what he died.

SEC. 5. It shall be the duty of the Auditor of State to audit, and of the Treasurer of State to pay the necessary amount to carry into effect this act.

SEC. 6. This act shall be in force from and after its passage.

Mr. Ellis offered the following amendment to the amendment:

SEC. 3. That the Librarian, with advice of Secretary of State, and Auditor of State, be authorized and required to purchase of Elihu Stout, Esq., his file of the Western Sun and General Advertiser, if the same can be procured on reasonable terms, for the use of the State Library, and that the name of said Stout be recorded among those of her public benefactors, as provided in this bill.

Which was adopted,

When,

The amendment as amended was adopted, and the bill ordered to be engrossed.

On motion by Mr. Graham,

The vote refusing to order No. 355, a bill to attach the south half of section 5, in township 3, in range 8 east, to the county of Scott to a third reading was reconsidered.

The question then being on ordering the bill to a third reading,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Athon, Berry, Brugh, Day, Delevan, Eddy, English, Evans, Graham, Hanna, Hardin, Henton, Hunt, Kinnard, Mickle, Niblack, Sleeth, Walker, Winsteadley, and Woods—22.

Those who voted in the negative were,

Messrs. Buckles, Dole, Dunn, Ellis, Garver, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Milliken, Montgomery, Odell, Porter, and Teegarden—16.

So the bill was ordered to a third reading.

ORDERS OF THE DAY.

Bills on third reading.

SENATE BILL.

No. 207. A bill to amend article 5, of chapter 48, of the Revised Statutes of 1843, in relation to the writ of ad quod damnum; Was read a third time and passed.

HOUSE BILLS.

No. 393. A bill to repeal a plank road law of Huntington and Whitley counties.

Was read a third time and passed.

No. 396. A bill to create a school district in Marshall county.

Was read a third time and passed.

No. 372. A bill providing for the election of three school commissioners, in township No. 12, of range No. 11 east, situated in the counties of Franklin, Rush, and Decatur.

Was read a third time and passed.

No. 399. A bill for the relief of Samuel Shimer, and the purchasers of school lands in Delaware and Randolph counties.

Was read a third time and passed.

No. 401. A bill to establish additional places of holding elections in certain counties therein named.

Was read a third time and passed.

The Senate resumed the consideration of bill No. 160.

The question being on laying the amendment of the committee on the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Berry, Eddy, Graham, Hamrick, Hanna, Hardin, Harvey, Knowlton, Mickle, Milliken, Montgomery, Odell, Turman and Winsteadley—14.

Those who voted in the negative were,

Messrs. Adams, Alexander, Athon, Buckles, Defrees, Delevan, Dunn, Ellis, English, Evans, Garver, Henton, Holloway, Marshall, McCarty, Niblack, Porter, and Teegarden—18.

No quorum voting;

On motion by Mr. Hardin;

A call of the Senate was ordered.

There being a quorum present,

On motion by Mr. Milliken,

The further call of the Senate was suspended.

The question being on laying the amendment on the table,

The ayes and noes were again demanded.

Those who voted in the affirmative were,

Messrs. Berry, Eddy, Graham, Hamrick, Hanna, Hardin, Harvey, Henton, Hunt, Kinnard, Knowlton, Mickle, Milliken, Montgomery, Odell, Sleeth, Turman, Winsteadley and Woods—19.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Buckles, Cravens, Defrees, Delevan, Dunn, Ellis, English, Evans, Garver, Holloway, Marshall, McCarty, Niblack, Porter and Teegarden—19.

There being a tie vote, the amendment did not lay on the table.

The question then being on the adoption of the amendment,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Athon, Buckles, Cravens, Day, Defrees, Delevan, Dunn, Ellis, Evans, Garver, Graham, Holloway, Marshall, McCarty, Montgomery, Niblack, Odell, Porter and Teegarden—21.

Those who voted in the negative were,

Messrs. Allen, Berry, Dole, Eddy, English, Hamrick, Hanna, Har-

din, Harvey, Henton, Hunt, Kinnard, Knowlton, Miller, Milliken, Sleeth, Turman, Winstandley and Woods—19.

So the amendment was adopted.

Mr. Hanna moved to indefinitely postpone the bill.

Mr. Mickle moved to lay on the table,

Which did not prevail.

The question being on postponing the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Berry, Dole, Dunn, Eddy, English, Hamrick, Hanna, Hardin, Harvey, Hunt, Milliken, Montgomery, Niblack, Sleeth and Turman—17.

Those who voted in the negative were,

Messrs. Adams, Allen, Buckles, Cravens, Day, Defrees, Delevan, Ellis, Evans, Garver, Graham, Henton, Holloway, Kinnard, Knowlton, Marshall, McCarty, Mickle, Odell, Porter, Teegarden, Winstandley and Woods—23.

So the bill was not indefinitely postponed.

When,

On motion by Mr. Buckles,

The bill was referred to Senators Buckles, Marshall, Winstandley, Ellis and Athon.

The Senate resumed orders of the day.

No. 351. A bill for the relief of the assignees of J. & E. L. Beard;

Was read a second time,

When,

Mr. Adams moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Berry, Day, Defrees, Delevan, English, Hamrick, Hardin, Harvey, Hunt, Milliken, Porter and Sleeth—13.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Brugh, Cravens, Dunn, Eddy, Ellis, Evans, Garver, Graham, Hanna, Henton, Holloway, Kinnard,

Marshall, McCarty, Montgomery, Niblack, Odell, Teegarden, Turman, Walker, Winstandley, and Woods—25.

So the bill was not indefinitely postponed.

When,

On motion by Mr. Hardin,

The bill was referred to the committee on Claims.

No. 360. A bill for the relief of owners of lands mortgaged to the Sinking Fund;

Was read a second time and ordered to a third reading.

No. 423. A bill to authorize the County Commissioners of Pike county to make an appropriation therein named;

Was read a second time and,

On motion,

Laid on the table.

No. 424. A bill to incorporate the Aurora Hotel Company;

Was read a second time, the rules suspended, the bill read a third time and passed.

On motion by Mr. Graham,

The vote laying bill No. 423 on the table, was reconsidered, and the bill ordered to a third reading.

No. 425. A bill to locate a State road in the counties of Tipton and Howard;

Was read a second time and ordered to a third reading.

No. 429. A bill surrendering the right of way to railroad companies across swamp lands;

Was read a second time and ordered to a third reading.

No. 434. A bill reducing fees for taking acknowledgements of mortgages to the Trust Funds;

Was read a second time and ordered to a third reading.

No. 435. A joint resolution in relation to the slave-trade;

Was read a second time.

Mr. Hanna moved to refer the joint resolution to the committee on Federal Relations.

Which did not prevail.

Mr. Cravens moved to lay the joint resolution on the table.

Which was decided in the negative.

When

Mr. Dunn offered the following amendment:

"Strike out the preamble."

Which was adopted, and,

On motion,

The rules were suspended, the bill read a third time and passed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate:

Nos. 176, 103, 106, 152, 260, 194, 189.

Which I am directed to bring to the Senate for the signature of the President thereof;

Whereupon the President affixed his signature to said bills.

Also, the following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to engrossed bill of the House

No. 291. An act to provide for the defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes.

Leave being granted,

Mr. Buckles made the following report:

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 160, an act for the more effectual assessment of the personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana, have had the same under consideration, and directed me to report it back to the Senate with the following amendments, and when said amendments are adopted, recommend the passage of said bill:

Amend,

1st. By striking out of the 10th line of the fifth section the words "by oath or affirmation."

2d. Strike out of the 4th and 5th lines of the 6th section the words "or who has refused to secure to the same," and out of the 6th line of said section these words, "refused to swear to list."

3d. Fill the blank in the second section by inserting "one thousand dollars."

4th. Strike out of the 6th and 7th lines "refused to swear to list."

Which amendments were adopted.

When,

Mr. Holloway moved to lay the bill and pending amendments on the table.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Berry, Defrees, Eddy, Hanna, Harvey, Holloway, Hunt, Milliken, Montgomery, Niblack, Porter and Turman—14.

Those who voted in the negative were,

Messrs. Adams, Buckles, Cravens, Day, Delevan, Dunn, English, Evans, Garver, Hamrick, Hardin, Henton, Kinnard, Knowlton, McCarty, Mickle, Sleeth, Teegarden, Winstandley, and Woods—20.

Which was decided in the negative.

When,

On motion by Mr. Adams,

The vote adopting the amendment of the committee of the whole was reconsidered.

On motion by Mr. Hardin,

The bill was referred to a select committee of Senators Hardin, Berry, Buckles, Ellis and Dole.

Leave being granted,

Mr. Niblack made the following report:

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the House No. 384, entitled "an act to appraise the real estate of the State and to make the value of the same equal and uniform throughout this State," have had the same under consideration, and not having sufficient time to investigate the same, have instructed me to report the same back for the consideration of the Senate and asked to be discharged from the further consideration of the subject;

Which was concurred in, and

On motion by Mr. Hanna,

The bill was laid on the table.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate without amendment:

No. 257. An act fixing the per diem pay of the members of the Legislature.

Lave being granted, the following report was made:
By Mr. Graham;

MR. PRESIDENT:

The Committee on Corporations, to whom was referred House bill No. 433, have had the same under consideration, and directed me to report the same back with amendments, and upon their adoption, recommend its passage:

No. 433. A bill to amend the charter of the Evansville and Illinois Railroad Company.

Amend first by striking out the words "grounds for depots or" in the 31st and 32d lines of the 2d section.

Also, strike out the words "or depot grounds" in the 37th and 38th lines of said 2d section.

Amend the 5th section by striking out the words "third, fourth, fifth, sixth, seventh, and seventeenth," where they occur in said section;

Which was concurred in, the amendments adopted, the rules suspended, the bill read a third time and passed.

On motion by Mr. Woods,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 407. An act confirming the title of the Georgia Lands to Martin R. Green;

In which the concurrence of the Senate is respectfully requested.

No. 407 was read a first time, the rules suspended, the bill read a second time.

Mr. Ellis moved to refer the bill to the Judiciary committee;

Which was decided in the negative.

Mr. Hardin moved to suspend the rules and read the bill a third time.

The ayes and noes being demanded, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Athon, Brugh, Buckles, Cravens, Day, Delevan,

English, Evans, Hardin, Hunt, Kinnard, Knowlton, Marshall, Mickle, Milliken, Niblack, Sleeth, Turman, Walker, Winstandley, and Woods—22.

Those who voted in the negative were,

Messrs. Defrees, Dole, Dunn, Eddy, Ellis, Garver, Graham, Hamrick, Harvey, Henton, Holloway, McCarty, Montgomery, Odell, Porter, and Teegarden—16.

So the rules were not suspended,

And the bill was ordered to a third reading.

Leave being granted, the following report was made from a select committee:

By Mr. Buckles;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 160, have had the same under consideration, and directed me to report it back to the Senate with sundry amendments, and when said amendments are adopted, recommend the passage of the bill.

No. 160. A bill for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stocks in the State of Indiana.

Amend the amendment by adding the following proviso:

1st. *Provided, however,* That the amount of money, book notes, or other circulating medium on hand or at interest.

2d. The kind and amount of stocks.

3d. The amount and probable value of debts outstanding over and above indebtedness.

4th. The value and amount of stock in trade, shall be furnished under oath or affirmation.

Also, add to the end of the 32d line of the second section of the bill the following: "Or appertaining to, or held for any other purpose."

Strike out of the second section all that relates to taking and subscribing an oath, and insert in the proper place the following section:

Sec. — If any person, when legally required by the Assessor, shall refuse to give a list of his capital, money, or other taxable property contemplated by the provisions of this act, or shall fraudulently or intentionally omit to give any part of his capital or property liable to taxation, and required by law to be assessed and listed, or shall fix a fraudulent value thereon; every person so offending shall, upon due conviction thereof, be fined in any sum not exceeding one thousand dollars.

Which report was concurred in, the rules suspended, the bill read a third time.

The question being on the passage of the bill,
The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Berry, Brugh, Buckles, Cravens, Day, Delevan, Dole, Eddy, Evans, Hamrick, Hardin, Harvey, Henton, Holloway, Hunt, Kinnard, Knowlton, McCarty, Mickle, Milliken, Teegarden, Turman, Walker, and Woods—26.

Those who voted in the negative were,

Messrs. Athon, Defrees, Dunn, Ellis, English, Garver, Graham, Marshall, Montgomery, Niblack, and Porter—11.

So the bill passed.

When,

On motion by Mr. Knowlton,
The Senate adjourned.

WEDNESDAY MORNING, February 12, 1851.

The Senate met.

Reading the Journal dispensed with.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment:

No. 222. An act for the relief of John H. Cutter, surviving partner of B. G. Cutter & Co.

No. 239. An act to authorize the voters of Jackson township, in the county of Blackford, to vote at Hartford, in said county.

No. 241. An act to authorize the construction of viaducts under public highways.

No. 242. An act to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company," approved January 21, 1850.

No. 248. An act to amend an act entitled "an act to incorporate the Indianapolis and Brownsburgh Plank Road Company," approved January 18th, 1850.

No. 253. An act to legalize the survey and location of the Vistula State Road in Elkhart county.

No. 259. An act for the benefit of the Edinburg and Western Plank Road Company.

No. 261. An act amendatory of an act entitled "an act to incorporate the Ohio and Mississippi Railroad Company."

No. 267. An act in relation to the sale of spirituous liquors in Jefferson township, in Wayne county.

No. 278. An act to incorporate the Clinton Draw Bridge Company.

No. 279. An act for the benefit of Agent of State.

No. 280. An act authorizing the Board of Commissioners of Martin county to order a vote to be taken in a certain case relating to the seat of justice of said county.

No. 283. An act to amend an act entitled "an act to incorporate the Richmond and Newport Turnpike Company," approved January 5th, 1849.

No. 284. An act giving additional time to the Hancock Circuit Court.

No. 287. An act to incorporate the Trustees of the Indiana Female College.

No. 291. An act for the protection of widows and orphans.

No. 293. An act to change the time of holding the Probate Court in the county of Grant.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bills of the House:

No. 36. An act to extend the time of holding courts in the county of Tipton.

No. 236. An act to incorporate White River Navigation Company.

No. 364. An act incorporating the Madison and Cross Plains Plank Road Company.

No. 383. An act to incorporate the Franklin Insurance Company.

No. 435. A joint resolution in relation to the slave-trade.

No. 442. An act to authorize Board of Commissioners of Putnam county to issue bonds.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment:

No. 5. An act to amend an act entitled "an act to incorporate the town of Liberty, in Union county," approved January 18, 1850.

No. 108. An act to constitute a school district from a portion of territory in the counties of Grant and Blackford.

No. 112. An act in relation to the commission and punishment of crime.

No. 135. An act to amend section 2nd of an act entitled an act to amend the laws relating to execution of deeds, by order of Probate Court, approved January 15th, 1849.

No. 157. An act to consolidate and publish in one act the several acts incorporating the city of Lawrenceburgh, and to revise and amend the same.

No. 164. An act to incorporate the Indiana Fire and Marine Insurance company.

No. 174. An act relative to the Western Plank road company, in Tippecanoe county.

No. 202. An act for the benefit of the Mt. Vernon and New Harmony Plank Road company.

No. 206. An act to amend an act entitled an act to amend the 15th chapter of the Revised Statutes, approved January 26th, 1847, so far as it relates to the county of Shelby.

No. 229. An act to amend an act entitled an act to incorporate the Centreville and Abington Turnpike company, approved February 12, 1848.

No. 231. An act to vacate a part of Jennings and Jackson streets, in the town of Rushville.

No. 236. An act to amend an act entitled an act to incorporate the Knightstown and Shelbyville Railroad company.

No. 268. An act to exempt Guardians from the payment of Clerk's fees in certain cases.

No. 276. An act to locate a State road in Warren and Fountain counties.

No. 264. An act for the relief of Daniel Stowell, of St. Josephs county.

No. 299. An act to authorize the removal of drift and obstructions from Little River, in Allen and Huntington counties.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, without amendment:

No. 274. An act relative to township elections where there is more than one precinct in any township, in the counties of Daviess and Martin.

No. 294. An act to incorporate the Bedford Central Plank Road Company.

No. 298. An act to incorporate the Patriot and Allensville Turnpike company.

Also, the following message was received from the House;

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to engrossed bill of the House:

No. 257. An act to amend the charter of the Central Plank Road company.

REPORTS FROM STANDING COMMITTEES.

By Mr. Garver;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the Senate No. 230, have had the same under consideration, and directed me to report the same back and recommend its passage.

No. 230. A bill to amend an act entitled an act, approved 16th January, 1850, in relation to the distribution of the laws of this State.

When,

On motion by Mr. Harvey,
The bill was laid on the table.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 110, an act to amend article four of chapter 45, Revised Laws

of A. D. 1843, on the subject of partition, have had the same under consideration and directed me to report it back for the action of the Senate, and ask to be discharged from the further consideration of the subject.

Which bill,

On motion by Mr. English,
Was laid on the table.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 294, an act to repeal an act therein named, have had the same under consideration and directed me to report it back to the Senate and recommend that it be laid on the table.

Which was concurred in and the bill laid on the table.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 234, an act amending sections 48, 49 and 50, of chapter 29, of the Revised Statutes of 1843, relative to the levy and sale of mortgaged premises, have had the same under consideration and directed me to report it back to the Senate and respectfully recommend its indefinite postponement.

Which was concurred in and the bill indefinitely postponed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 263, a bill to amend section 40, part 3d, of the Revised Statutes of 1843, in relation to the perpetuation of testimony in suits hereafter to be commenced and in suits now decided, upon which an appeal or writ of error may be prosecuted, have had the same under consideration and directed me to report that in the opinion of a majority of your committee, legislation as proposed by said bill, is inexpedient at this time. The indefinite postponement of said bill and its subject matter is therefore respectfully recommended.

Which was concurred in.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred Bill of the Senate No. 277, an act in relation to the sale of real and personal estate by guardians have had the same under consideration and directed me to report it back to the Senate and recommend that said bill be indefinitely postponed.

Which was concurred in and the bill indefinitely postponed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 267, an act in relation to the streets and alleys in the town of Bowling Green, in Clay county, have had the same under consideration and directed me to report it back to the Senate and recommend its indefinite postponement, and ask that your committee be discharged from the further consideration thereof.

The question being on the indefinite postponement of the bill,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Athon, Brugh, Buckles, Cravens, De-frees, Delevan, Dunn, Eddy, English, Evans, Garver, Graham, Ham-rick, Harvey, Henton, Holloway, Kinnard, Knowlton, Marshall, McCarty, Odell, Porter, Teegarden, Walker, Winstandley and Woods—28.

Those who voted in the negative were,

Messrs. Ellis, Hanna, Hardin, Hunt, Mickle and Niblack—6

So the bill was indefinitely postponed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House No. 343, an act to amend the several acts now in force in relation widows, have had the same under consideration, and directed me to

report that, in the opinion of a majority of your committee, the laws are sufficient to guard and protect the rights of widows, without the amendment proposed by said bill; the indefinite postponement thereof is, therefore, respectfully recommended.

Which was concurred in and the bill indefinitely postponed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred the petitions of Alonzo Wilkins and Wm. Simpson, asking the action of the Senate on divers subjects, have had the same under consideration, and direct me to report the same back to the Senate and recommend that they be severally laid upon the table, and ask that your committee be discharged from the further consideration thereof.

Which was concurred in.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred resolutions of the Senate, No. 1, upon the subject of the election of Prosecuting Attorneys; No. 2, relative to certain portions of the Governor's message; and No. 3, Relative to delinquents for the non-payment of taxes, &c., have had the same under consideration, and directed me to report them back to the Senate, recommend that they be severally laid upon the table, and ask that said committee be discharged from the further consideration of their subjects matter.

Which was concurred in by the Senate.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate, No. 244, a bill to tax litigation, and to appropriate the same to the support of the Judiciary, have had the same under consideration, and directed me to report that, in the opinion of your committee, the wealth of the State, and not the poverty of litigants, should defray the expense of the Judiciary. The indefinite postponement of said bill and its subject matter is, therefore, respectfully recommended, and your committee ask to be discharged from its further consideration.

Which was concurred in and the bill indefinitely postponed.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the House, No. 177, an act explanatory of an act entitled an act for the relief of widows whose husbands die intestate without any heirs lineally descended from them, have had the same under consideration, and directed me to report it back to the Senate, without amendment, and recommend that it be laid upon the table.

Which was concurred in and the bill laid on the table.

By Mr. English;

MR. PRESIDENT:

The committee on Claims, to whom was referred bill No. 351, for the relief of Daniel Mace and others, have had the same under consideration and have directed me to report the same back and recommend its passage.

The rules being suspended, the bill read a third time,
The question being on the passage of the bill,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Allen, Brugh, Cravens, Dunn, Eddy, Ellis, Evans, Garver, Graham, Henton, Holloway, James, Marshall, McCarty, Montgomery, Niblack, Odell, Turman, Walker, Winstandley, and Woods—22.

Those who voted in the negative were,

Messrs. Adams, Athon, Berry, Defrees, Delevan, English, Hamrick, Hardin, Harvey, Kinnard, Knowlton, Porter, and Sleeth—13.

So the bill passed.

FROM SELECT COMMITTEES.

By Mr. Ellis;

MR. PRESIDENT:

The committee to which had been referred the petition of sundry citizens of Knox county, in relation to a levee, &c., below Vin-

cennes, have instructed me to report the following bill and recommend its passage:

No. 303. A bill in relation to the leveeing and draining the land in the Lower Prairie below Vincennes, in Knox county.

Which was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

By Mr. Walker;

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 288, have had the same under consideration, and directed me to report the same back without amendment, and recommend its passage.

No. 288. A bill to authorize the erection of a mill-dam across the Wabash river, in Cass county, Indiana.

Which was concurred in, the rules suspended, the bill read a third time and passed.

By Mr. Reid;

MR. PRESIDENT:

The select committee, to whom was referred bill of the House, No. 292, being an act to regulate the mode of proceeding in suits against the White Water Valley Canal Company, have had the same under consideration, and a majority of said committee have requested me to report the same back to the Senate and recommend its indefinite postponement, and for cause, gives the following reasons:

1st. Because the bill aforesaid is in opposition to the wishes of the company, being onerous and exactionous in its nature, and contrary to the rule adopted by their original charter.

2d. Because the said company protest against the passage of said law, and as evidence thereof, have presented your committee the following protest, which is made a part of this report.

All of which is respectfully submitted.

To the Honorable, the General Assembly of the State of Indiana:

The undersigned Directors of the White Water Valley Canal Company, in behalf of the Board of Directors and stockholders in said company, respectfully remonstrate against the passage of any law increasing the burthens and liabilities of said company, or in any manner subjecting them to be harassed by any legal proceedings other than as now allowed by law. The undersigned state that

when the State abandoned the construction of said canal, it was only completed to Brookville, thirty-one miles, that the profits did not pay the expenses of keeping it in repair, and the unfinished portion was dilapidating and wholly worthless; that the present company, under an act passed January 20, 1842, organized, and at an expense of \$473,000, completed said canal to Cambridge city, on the national road, a total distance of 70 miles from Lawrenceburgh. In the fall of 1846, and by a most unprecedented flood on the first of January, 1847, a large part of said canal was destroyed, and the dams for feeding the same washed away, making a total loss of \$90,000; much the larger portion of which loss occurred on that part of the canal constructed by the State; and that before the repairs of said canal were completed and made secure, another flood occurred, which swept away a large part of the repairs thus made. And after that flood, they had a careful estimate made by their engineer of the amount necessary to put the canal in good repair, who made the sum necessary, \$80,000. Said company was so involved in debt that they had no credit to raise means to make repairs, and the stockholders voluntarily submitted to an assessment on their stock, and paid in, in money, \$45,000, to aid in making the repairs; and last March a dam was washed away below Brookville, and other injury done, to the amount of \$12,000, which money was voluntarily advanced by stockholders and others interested in the business on the canal. Owing to the suspension of navigation for so long a time, the expenses incurred, debts contracted, and interest accrued, the company is now indebted about \$320,000. The State constructed bridges across the canal where it crossed public roads on the part constructed by the State, and the company constructed similar bridges on the part constructed by them. The State has reserved the right to repeal the law granting the rights to the company, by first paying the company the amount invested in the construction of the canal. And also the right to resume the canal at the end of fifteen years, by making similar payment. The company think that as the State was not liable to repair the bridges across the canal, and has never done so on her public works, that the company ought not to be compelled to do so without some method of obtaining compensation. But if they are bound to do so, they will have to bear the burden, however hard. But they protest against any law being passed that will in any way increase or vary their responsibility, so as to make it more onerous or harassing. The canal is a valuable public work to the counties through which it passes, and adjacent counties, as an artery of trade, enhancing the value of agricultural products, and cheapening the supplies to the people. It has enhanced the value of property, invited population and capital into the country, and greatly enhanced the taxable means for State and county taxes. But to the stockholders it is almost a total loss. They could not now realize twenty-five per cent. of their investment, and would greatly rejoice to get forty or fifty per cent. of the same

and unless better fortune awaits them, their investment will be a total loss. And while thus ground down, they look upon any attempt to embarrass the company or impose additional burdens as a peculiar hardship, and they conceive that your honorable body must be laboring under a want of proper information. The undersigned think that if the representatives of the people possess such a power, that a magnanimous regard for the misfortunes of those who have contributed so largely to the public good in the construction of this canal, should induce the General Assembly not to exercise it, but rather to release it to the company.

Respectfully submitted.

JOHN S. NEWMAN,
JAMES RARIDEN,
GEO. G. SHOUP.

The question being on concurring in the report and indefinitely postponing the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Buckles, Cravens, Dole, Ellis, English, Evans, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Montgomery, Niblack, Teegarden, Turman, Walker, and Winsteadley—20.

Those who voted in the negative were,

Messrs. Adams, Alexander, Berry, Defrees, Delevan, Dunn, Eddy, Garver, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Mickle, Milliken, Porter, and Woods—19.

So the bill was indefinitely postponed.
By Mr. Turman;

MR. PRESIDENT:

The select committee to whom was referred Senate bill No. 302, upon consideration thereof, have directed me to report it back and recommend its passage.

No. 302. A bill to incorporate the Covington, Newtown, and Lafayette Plank Road Company.

Which report was concurred in, the rules suspended, the bill read a third time and passed.

On motion by Mr. Graham,

The vote refusing to pass House bill No. 285, a bill to incorporate the

New Albany and Vincennes Plank Road Company was reconsidered.

The question recurring on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Athon, Brugh, Cravens, Defrees, Delevan, Ellis, English, Garver, Graham, Henton, Holloway, Kinnard, Knowlton, Marshall, Mickle, Milliken, Niblack, Porter, Sleeth, Turman, Walker, Winsteadley, and Woods—23.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Berry, Buckles, Dole, Dunn, Hamrick, Hanna, Hardin, Harvey, James, Montgomery, and Teegarden—14.

So the bill passed.

Report by Mr. Athon, from the select committee appointed to examine into the charges preferred against the superintendent of the Indiana Insane Hospital.

MR. PRESIDENT:

The Joint Committee, appointed to investigate charges against the Superintendent and officers of the "Indiana Hospital for the Insane," beg leave to submit their report:

The serious nature of the charges, coupled with the respectable character of the individual making them, induced the committee to institute a thorough investigation.

To effect this, they have examined patiently every witness within their reach, where evidence could be supposed to develop or elucidate any facts necessary to enable them to arrive at a correct conclusion.

If charges against the Institution of "Extravagance, Corruption and Cruelty to the Inmates" be true, the public have a right to know it, with a view to their correction; if untrue, the standing of those implicated, no less than the credit of our State, demands a prompt exposition of the slanders.

The committee unite in expressing their conviction from the evidence adduced, that the Board of Commissioners have in the discharge of their official duties, been guided by a commendable zeal for the welfare of the Institution, and the benefit of that unfortunate class of society who constitute its inmates. During the erection or furnishing the building, no case has been presented leading even to the suspicion, that any member of the Board has directly or indirectly engaged with any of the contracts. A By-Law of the Institution requires that "no resident officer, attendant or assistant, shall be directly or indirectly, interested in the purchase of any article for the use of the Hospital." The committee have abundant evidence

to convince them that instructions in accordance with the spirit of this law, have been repeatedly delivered to the Steward. If any violation did occur, it was in the fact adduced on this investigation, that an account of an inconsiderable amount for articles of supplies was made by the Steward, and settled by the Board, (but not without a remark of its impropriety) with a mercantile house of this city, one member of which firm is likewise a member of the Board of Commissioners. This was done by the Steward without instructions to do so, and because he alleged he could procure these articles at a lower price and better quality than elsewhere.

The charge of extravagance in the purchase of the carriage alluded to, the committee are of opinion is unfounded, and they would report the selection as entirely proper and economical under the circumstances. Their examinations in relation to alleged abuses of patients extended back to the earliest period of the existence of the Institution. Facts were elicited clearly, proving to all, that instances of severity of treatment towards inmates had occurred, and their frequency at the early period of its history, resulted from the want of a sufficient number of attendants present, their inexperience and the fact that every class and grade of patients were then crowded together in the same ward.

No case was proved to have been so treated under the eye of the Superintendent, without receiving his prompt and unqualified disapprobation; nor could we learn of an instance of any abuse perpetrated by attendants, coming to his knowledge without meeting from him with severe rebuke. Another cause of the more frequent occurrence of these abuses at that period was attributable to the fact proved, that the subordinates (in the neglect of their duty,) failed to report the same to the Superintendent, who we are well assured was ignorant of their occurrence, until developed in an examination held before the Board of Commissioners in the fall of 1849.

Since that time, a period of seventeen months, not a single case of abuse or mal-treatment is even alleged to have occurred, if we except the case of the individual who lost his eye. If for this, any blame be attached to Doctor Patterson, it can be but an error of judgment, to justify which, it may be said he was following a practice pursued under like circumstances in other institutions. The unfortunate sequel was no less the result of accident, than the favorable condition of the patient at the time to the development of that inflammation which destroyed his eye. Added to this the patient himself introduced into the already highly inflamed organ, lime, sand and like irritants calculated to effect its destruction, and at the same time violently opposed the application of proper remedial means for its relief. The evidence moreover shows clearly that neither the patient himself, or any of his friends, attached any blame to the Superintendent for any intentional injury. This is the only case among those alleged in which even the most trifling injury was inflicted.

Without an exception, the testimony of every one proves that the

demeanor and conduct of the Superintendent, Dr. Patterson, has been universally kind, courteous and polite. The manner in which the duties of Assistant Physician, Matron and Steward [are discharged,] is worthy of all praise and commendation. Kindness to patients and watchful carefulness are strenuously enjoined on and observed by the attendants.

The committee, in the discharge of the duty assigned them, visited the Hospital, and were fully admitted into and inspected every portion of the building. From a thorough examination, they report that the order, cleanliness and apparent comfort of every part calls forth their warmest approbation.

Among the charges was an implied censure of the course of treatment of the patients by the Superintendent. The committee would reply by saying, that they are assured the selection of Doctor Patterson was made by the Board solely from the recommendations of competent persons abroad, and as a proof of the wisdom of their choice, they simply state the fact that the proportions of cures in this Institution has been really greater, in comparison with the admissions, than in any asylum in the country.

Nor will the committee close without giving expression to an assurance to every citizen of Indiana who may now have, or may hereafter commit, a friend to the care of the Institution, that with its present officers, and under its recent organization, they have a guaranty of the utmost kindness for their comfort, and correct treatment for their relief.

And the joint committee ask, respectfully, to be discharged from any further consideration of the subject.

JAMES S. ATTHON, *Ch'n*,
GEO. B. GRAFF,
N. EDDY,
JOHN HUNT,
BENJAMIN HENTON,
W. G. MONTGOMERY,
ROBERT H. CRAWFORD,
ELI LEWIS,
I. HUTCHINSON.

Which,

On motion by Mr. English,
Was laid on the table, and 2500 copies ordered to be printed.
By Mr. Niblack;

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 300, entitled a bill to incorporate the Vincennes and Orleans Plank Road Company, have had the same under consideration, and have made one amendment, upon the adoption of which, they recommend its passage.

Amend section 4 by striking out the word "three," in the 4th line, and insert in lieu thereof the word "five."

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Hardin;

MR. PRESIDENT:

The committee on Education, to whom was referred bill of the Senate No. 289, in relation to common school examiners and teachers, have had the same under consideration, and have instructed me to report the same back to the Senate with one amendment, and ask to be discharged from the further consideration thereof.

Amend by striking out the words "license to teach," in 6th line, and insert "a certificate of qualifications as a teacher of common schools."

2d. Strike out "one dollar," in the 6th and 7th lines, and insert "fifty cents."

Amend 2d section by striking out the words "license," and insert "certificate of qualifications."

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

By Mr. Garver;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the Senate No. 203, have had the same under consideration, and a majority of said committee directed me to report the same back and recommend its passage.

No. 203. A bill to appropriate money to the government of Liberia, in Africa, to purchase territory for the use and benefit of the colored people of Indiana.

Mr. Mickel offered the following amendment:

"Now resident of this State."

Which,

On motion by Mr. Dole,
Was laid on the table.

When,

On motion by Mr. Dole,
The vote laying the amendment on the table was reconsidered.

Mr. Eddy moved to lay the bill and pending amendments on the table.

The ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative, were,

Messrs. Adams, Alexander, Allen, Athon, Buckles, Cravens, Delevan, Eddy, Evans, Garver, Graham, Hamrick, Hanna, Hardin, Holloway, Hunt, James, Kinnard, Montgomery, Porter, and Walker—21.

Those who voted in the negative were,

Messrs. Berry, Brugh, Defrees, Dole, Dunn, Ellis, English, Harvey, Henton, Knowlton, Marshall, McCarty, Mickel, Milliken, Niblack, Odell, Teegarden, Winstandley and Wood—19.

Which was decided in the affirmative.

By Mr. Garver;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the House No. 45, have had the same under consideration, and directed me to report the same back for the action of the Senate.

No. 45. A bill to amend section 100, chapter 12, of the Revised Statutes of 1843.

When,

On motion by Mr. Harvey,

The bill was laid on the table.

By Mr. Garver;

MR. PRESIDENT:

The committee on Finance, to whom was referred bill of the House No. 243, have had the same under consideration, and directed me to report the same back for the consideration of the Senate and ask to be discharged from the further consideration thereof.

No. 243. A bill to defray the expenses of the Quarter Master General, and for other purposes.

When,

On motion by Mr. Garver,

The bill was laid on the table.

By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee to whom was referred bill of the House No. 327, an act dispensing with complete records, and regulating the fees of clerks in the probate courts, in certain cases, have had the same under consideration, and directed me to report, that in the

opinion of your committee, legislation upon that subject is inexpedient at this time. The indefinite postponement thereof is respectfully recommended.

Which was concurred in, and the bill indefinitely postponed.
By Mr. Buckles;

MR. PRESIDENT:

The Judiciary committee, to whom was referred bill of the Senate No. 216, have had the same under consideration, and directed me to report it back for the action of the Senate, and ask that your committee be discharged from the further consideration thereof.

No. 216. A bill to more effectually prevent the sale of spirituous liquors.

Which was concurred in, and the bill laid on the table.

Mr. Winstandley moved to reconsider the vote taken on laying the joint resolution No. 237, in relation to the compromise measures passed at the last session of Congress, on the table.

Mr. Harvey moved to lay the motion on the table.

The ayes and noes being demanded, were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Berry, Buckles, Defrees, Delevan, Dole, Dunn, Eddy, Ellis, Evans, Garver, Graham, Hamrick, Hardin, Harvey, Holloway, Hunt, James, Kinnard, Knowlton, Marshall, McCarty, Mickle, Milliken, Odell, Porter, Teegarden, and Woods—29.

Those who voted in the negative were,

Messrs. Alexander, Athon, English, Hanna, Henton, Niblack, Sleeth, and Winstandley—8.

So the motion was laid on the table.

Mr. Winstandley moved to take from the table the joint resolution. Which,

On motion by Mr. Milliken,
Was laid on the table.

RESOLUTIONS INTRODUCED.

By Mr. Niblack;

Resolved, That the thanks of the Senate be tendered to the Principal Door-keeper of the Senate and his assistants, for the prompt

and efficient manner in which they have discharged their several duties.

Which was adopted.
By Mr. Graham;

Resolved, That the thanks of the Senate be tendered to the Principal and Assistant Secretaries of the Senate for the efficient and satisfactory manner in which they have discharged their respective arduous duties, and for their kind and accommodating bearing towards Senators during the present session.

Which was adopted.
By Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of the Senate Nos. 122, 270, 208 with the engrossed, and find them correctly enrolled.

ORDERS OF THE DAY.

Bills on third reading.

No. 100. Senate bill authorizing the taking of newspapers for the State Library;

Was read a third time and passed.

HOUSE BILLS.

No. 355. A bill to attach the south half of section 5, in township 3, in range 8 east, to the county of Scott;

Was read a third time.

Mr. Hamrick moved to lay the bill on the table.

Which was decided in the negative,

And the bill passed.

No. 360. A bill for the relief of owners of lands mortgaged to the Sinking Fund;

Which was read a third time and passed.

No. 407. A bill confirming the title of the Georgia Lands to Martin R. Green;

Was read a third time.

The question being on the passage of the bill,

The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Allen, Athon, Berry, Brugh, Buckles, Cravens, Delevan, Eddy, English, Evans, Hardin, Hunt, James, Kinnard, Knowlton, Mickel, Milliken, Niblack, Odell, Sleeth, Walker, Winstandley, and Woods—24.

Those who voted in the negative were,

Messrs. Day, Defrees, Dole, Dunn, Ellis, Garver, Graham, Hamrick, Harvey, Henton, Holloway, Marshall, McCarty, Porter, and Teegarden—15.

So the bill passed.

No. 423. A bill to authorize the County Commissioners of Pike county to make an appropriation therein named;

Was read a third time and passed.

No. 425 A bill to locate a State road in the counties of Tipton and Howard;

Was read a third time and passed.

No. 429. A bill surrendering the right of way to railroad companies across swamp lands.

Was read a third time and passed.

No. 434. An act reducing fees for taking acknowledgments of mortgages to the Trust Fund.

Was read a third time and passed.

On motion by Mr. English;

The vote indefinitely postponing,

Bill No. 292, a bill to regulate the proceeding in suits against the White Water Canal company for failing to build and repair bridges;

Was reconsidered.

The question being on postponing the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Brugh, Buckles, Cravens, Day, Defrees, Dole, Ellis, Evans, Garver, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Teegarden and Winstandley—18.

Those who voted in the negative were,

Messrs. Adams, Athon, Berry, Delevan, Eddy, English, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Mickel, Milliken, Niblack, Porter, Sleeth and Wood—19.

So the bill was not postponed.

Mr. Holloway offered the following amendment:

Provided, however, That the said White Water Canal company shall have a right at any time to abandon that part of said canal lying between Harrison and Lawrenceburgh, and also the dam at Harrison, without affecting any other corporate rights.

Mr. Milliken moved to lay the amendment on the table;

Which was decided in the negative.

Mr. Berry moved a call of the Senate;

Which was decided in the negative.

Mr. Hanna moved the following amendment to the amendment: Strike out "dam at Harrison."

When,

On motion by Mr. Harvey,

The bill and pending amendments were laid on the table.

On motion by Mr. Hamrick,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:

No. 172. An act to apportion Senators and Representatives for the next five years.

In which amendment the concurrence of the Senate is respectfully requested.

Mr Hamrick moved that the Senate refuse to concur.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Allen, Athon, Buckles, Day, Defrees, Delevan, Dole, Dunn, Ellis, English, Evans, Garver, Graham, Hamrick, Hardin, Harvey, Holloway, James, Knowlton, Marshall, McCarty, Milliken, Niblack, Porter and Woods—25.

Those who voted in the negative were,

Messrs. Adams, Alexander, Berry, Cravens, Eddy, Henton, Kin-

nard, Mickle, Sleeth, Teegarden, Turman, Walker and Winstandle—13.

So the Senate refused to concur.

The Senate resumed the consideration of House bill No. 440, a bill to amend an act entitled an act for the call of a Convention of the People of the State of Indiana, to revise, amend or alter the Constitution of said State.

On motion by Mr. Hardin,
A call of the Senate was ordered.

On motion by Mr. Knowlton,
The further call was suspended.

The question being on the adoption of the amendment of the committee,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Delevan, Eddy, English, Garver, Graham, Hanna, Hardin, Henton, James, Kinnard, Mickle, Niblack, Sleeth, Walker, Winstandle, and Woods—24.

Those who voted in the negative were,

Messrs. Day, Defrees, Dole, Dunn, Ellis, Evans, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Milliken, Porter, Teegarden, and Turman—16.

So the amendment was adopted.

Mr. Milliken moved to suspend the rules and read the bill a third time now.

The ayes and noes being demanded were ordered.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Delevan, Dole, Eddy, English, Evans, Garver, Graham, Hanna, Hardin, Henton, James, Kinnard, Mickle, Milliken, Niblack, Sleeth, Turman, Walker, Winstandle, and Woods—28.

Those who voted in the negative were,

Messrs. Day, Defrees, Dunn, Ellis, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Porter, and Teegarden—12.

So the rules were suspended and the bill read a third time.

The question being on the passage of the bill,
The ayes and noes were demanded.

Those who voted in the affirmative were,

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Delevan, Eddy, English, Evans, Garver, Graham, Hanna, Hardin, Henton, James, Kinnard, Mickle, Milliken, Niblack, Sleeth, Turman, Walker, Winstandle and Woods—27.

Those who voted in the negative were,

Messrs. Day, Defrees, Dole, Dunn, Ellis, Hamrick, Harvey, Holloway, Knowlton, Marshall, McCarty, Porter, and Teegarden—13.

So the bill passed.

The following message was received from his Excellency the Governor by his private Secretary, Mr. Noel:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills:

No. 184. An act to incorporate the Belleville Branch Railroad Company.

No. 214. An act in relation to the County Surveyor of Putnam county.

No. 186. A joint resolution in relation to the World's Fair.

No. 176. An act declaring certain laws in force in the counties of DeKalb, Noble and Steuben.

No. 152. An act defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes.

No. 158. An act to prevent Clerks and Sheriffs from purchasing Judgments in the court of which they act as Clerk or Sheriff.

No. 209. An act for the relief of Hezekiah A. Sutton of Jackson county.

No. 218. An act to legalize the sale of lands and town lots for taxes in Spencer county on the first Monday of January, 1851.

No. 191. An act to amend an act entitled, "an act to incorporate the town of Cinton in Vermillion county," approved February 14, 1848.

- No. 225. An act to change the name of Howard Allen.
 No. 252. An act to amend an act entitled, "an act to locate a State road from Crawfordsville in Montgomery county to Concord in Tippecanoe county," approved January 21, 1850.
 No. 193. An act to fix a tax on a Museum in Lafayette.
 No. 175. An act to amend an act entitled "an act to incorporate the Lafayette Plank Road Company," approved January 3, 1849.
 No. 205. An act to change the name of Levi Gear, to that of Levi Frash.
 No. 126. An act to amend an act entitled, "An act to incorporate the Rushville and Muncietown Railroad Company," approved January 21, 1850.
 No. 221. An act to amend the charter of the town of Bloomington in the county of Monroe.
 No. 240. An act to incorporate the town of Bluffton in Wells county, Indiana.
 No. 226. An act to locate and establish a State road in the counties of Allen and Adams.
 No. 260. An act to incorporate the Columbus Plank Road Company.
 No. 106. An act to amend an act entitled, "an act to protect from waste certain lands therein mentioned," approved December 13, 1849.
 No. 103. An act to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt, on the first day of July next, and defray the expenses of the Constitutional Convention.
 No. 189. An act for the relief of Rebecca Elder of the county of Union, State of Indiana.
 No. 194. An act legalizing an order for the publication of the delinquent list for the year 1850, in DeKalb county.
 No. 155. An act to amend an act entitled, "an act to incorporate the Wayne County Turnpike Company," approved December 5, 1848.
 No. 188. An act to amend an act entitled, "an act to incorporate the Moores Hill and Aurora Turnpike Company," approved February 15, 1848.
 No. 195. An act in relation to the streets and alleys in the town of Lexington, Scott county.
 No. 228. An act to incorporate the Peru Hotel Company.
 No. 185. An act to locate a State road from Dover Hill in Martin county to Bloomington in Monroe county.

The following message was received from the House of Representatives by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the Senate:

No. 127. An act to amend chapter 4, of the Revised Code of 1843.

No. 178. An act to prevent the consolidation of indictments in certain cases, in the county of Dearborn.

No. 197. An act to repeal an act therein named.

No. 219. An act to amend an act entitled, "an act to revise and consolidate the several acts of the General Assembly, relative to laying out, opening, repairing, changing and vacating public highways, and to the erection and repair of bridges, and to amend the same, so far as the same relates to the county of Putnam.

The Senate resumed the consideration of,

No. 269. A bill making additional appropriations for the year 1851, upon the New Albany and Vincennes road.

The question being on laying the amendment of Mr. Niblack on the table;

Was decided in the affirmative.

When,

On motion by Mr. Hamrick,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Bill No. 269 was ordered to be engrossed.

Leave being granted,

Mr. English made the following report:

MR. PRESIDENT:

The committee on Claims to whom was referred joint resolution of the Senate No. 258, authorizing the Governor to transfer the Tulle papers for the Georgia Lands to Martin R. Green, report it is inexpedient to legislate on that subject any further, as the bill was passed superceding the joint resolution and ask to be discharged;

Which was concurred in, and the bill laid on the table.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with one amendment:

No. 265. An act to incorporate the Central Canal Manufacturing, Hydraulic and Water Works Company;

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insists upon the engrossed amendment thereof to engrossed bill of the Senate, to-wit:

No. 172. An act to apportion Senators and Representatives for the next five years.

The Senate adhered to their disagreement to the engrossed amendment of the House.

On motion by Mr. Buckles,

Also, the following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insists upon the engrossed amendments thereof to engrossed bill of the Senate,

No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

On motion by Mr. Knowlton,

The Senate receded from their disagreement, and concurred in the engrossed amendment of the House.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate with sundry amendments:

No. 177. An act authorizing the Western Plank Road Company to issue and sell bonds.

No. 285, An act to incorporate the Widows' and Orphans' Asylum of Indianapolis.
In which the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrossed amendments of the House to engrossed bills of the Senate Nos. 177 and 285.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with one amendment, to-wit:

No. 197. An act to repeal an act therein named.

In which the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with one amendment:

No. 149. An act for the encouragement of agriculture.

In which the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with sundry amendments:

No. 182. An act to organize a Court of Common Pleas in the county of Jefferson.

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with sundry amendments:

No. 29. An act to amend an act entitled "an act to incorporate the Ohio and Mississippi Railroad Company," approved February 14th, 1848.

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with one amendment:

No. 220. An act to authorize the extension of the Knightstown and Shelbyville railroad.

In which amendment the concurrence of the Senate is respectfully requested.

Which amendment was concurred in.

When

Mr. Buckles offered the following amendment:

Insert after the words "Randolph county," "so soon as said company shall have completed said road to the said town of Muncie."

Which was adopted.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate No. 161, with sundry amendments:

No. 161. An act to provide for the incorporation of subordinate lodges of the Independent Order of Odd Fellows.

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to engrossed bill of the House

No. 160. An act for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana,

With one amendment.

In which amendment the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

Also, the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill of the Senate with sundry amendments:

No. 281. An act to re-locate the seat of justice of Fountain county.

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

Nos. 380, 389, 397, 148, 228, 173, 151, 238, 261, 268, 309, 279, 419, 369, 381, 274, 374, 146, 306, 404, 410, 375, 366, 266, and 408.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment, to-wit:

No. 154. An act to authorize County Auditors to administer oaths in certain cases therein specified.

No. 223. An act to authorize certain school districts in Adams county to draw their proportion of the Common School Fund.

No. 254. An act to incorporate the Aurora and Hartford Turnpike Company.

No. 271. An act to amend an act entitled "an act to incorporate the city of Richmond, Wayne county, Indiana," approved February 24th, 1840.

No. 288. An act to authorize the erection of a mill-dam across the Wabash river, in Cass county, Indiana.

No. 300. An act to incorporate the Vincennes and Orleans Plank Road Company.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 382. An act to extend a certain road therein named.

No. 391. An act to extend the provisions of article No. 1, chapter 42, of the Revised Statutes of 1843.

No. 415. An act to amend an act entitled an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19th, 1846, approved January 27th, 1847.

No. 417. An act for the compensation of County Treasurers for expense and trouble in the payment of revenue.

No. 420. An act regulating the expense of capturing fugitives from justice.

No. 421. An act for the relief of Peter Helphurstene, a purchaser of school lands.

No. 449. An act to incorporate the Camden and Lockport Plank Road Company.

No. 450. An act to re-locate a State road between Paoli, in the country of Orange, and Troy, in the county of Perry.

No. 451. An act to authorize the County Surveyor of Miami county to re-survey the town of Mexico, in said county.

No. 452. An act to incorporate the Philalethian Society of Hanover College.

No. 453. An act defining the powers of Justices of the Peace in Marion county.

No. 455. An act to regulate the sale of spirituous liquor in the county of Tippecanoe.

No. 456. An act to amend the act entitled "an act to incorporate the town of Troy, in Perry county," approved January 21st, 1850.

No. 457. An act to amend an act entitled an act to restrict the grand juries of the counties of Porter and Lake to a limited time in their sessions, and for other purposes, approved February 8, 1851.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message, Nos. 391, 421, 449, 450, 451, 452, 453, 455, 456, and 457, were severally read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 382 was read a first time, the rules suspended, the bill read a

second time, and referred to Senators Holloway, Odell and McCarty.

No. 415 was read a first time, the rules suspended, the bill read a second time and referred to the Judiciary committee.

No. 417 was read a first time, when,

On motion by Mr. Hardin,

The bill was rejected.

No. 420 was read a first time, and,

On motion by Mr. Marshall,

Laid on the table.

Also the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill:

No. 466. An act to prohibit the sale of intoxicating drink in the county of Randolph.

In which the concurrence of the Senate is respectfully requested.

No. 466, contained in the message, was read a first time, the rules suspended the bill read a second time, and,

On motion by Mr. Buckles,

Laid on the table.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bill of the House;

No. 440. An act to amend an act entitled an act for the call of a convention of the people of the State of Indiana to revise, amend or alter the Constitution of said State.

The following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following joint resolution thereof, to-wit:

No. 261. A joint resolution granting the use of the State Library to Capt. Michael Fitzgibbon and John B. Dillon.

In which the concurrence of the Senate is respectfully requested.

Which was read a first time, the rules suspended, the bill read a second time.

Mr. Mickle moved to strike out the name of John B. Dillon;
Which did not prevail.

When the bill was read a third time and passed.

On motion,

House bill No. 466. To prohibit the sale of intoxicating drinks in the county of Randolph;

Was taken up, the bill read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

No. 468. An act to amend an act entitled an act to incorporate the Ohio, Indian and Lake Michigan Railroad Company, approved January 17, 1849.

In which the concurrence of the Senate is respectfully requested.

No. 468, contained in the message, was read a first time, the rules suspended, the bill read a second time, when,

On motion by Mr. Teegarden,

The bill was amended by adding the names of William C. Hanna, Oliver P. Ludlow, and Ferdinand Roberts, of Laporte county.

Mr. Eddy offered the following amendment:

Add the names of Reynolds Dunn, John Brownfield, and A. B. Elsworth, of the county of St. Joseph.

Which was adopted.

Mr. Defrees moved to amend by adding the names of James H. Barry, and Henry Pearce, of Elkhart county.

Which was adopted.

On motion,

The rules were suspended, the bill read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 207. An act regulating the license of traveling pedlars in the county of Dearborn.

No. 458. An act to authorize the printing of the reports of the benevolent institutions therein named.

No. 460. An act to revise an act entitled an act to incorporate the Milton and Waterloo Turnpike Company.

No. 464. An act making general appropriations for the year 1851.

No. 465. An act to equalize the price of the swamp lands in the State of Indiana.

No. 467. An act legalizing certain tax sales in Madison county. In which the concurrence of the Senate is respectfully requested.

Bills contained in the message, Nos. 207, and 460 were read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 458, was read a first time, the rules suspended, the bill read a second time,

When,

Mr. Berry moved to lay the bill on the table.

Which was decided in the negative.

The rules being further suspended, the bill was read a third time and passed.

No. 464 was read a first time, the rules suspended, the bill read a second time,

When,

Mr. Hamrick moved to strike out the appropriation for the Governor's circle.

Which was adopted, and,

On motion,

The rules suspended, the bill read a third time and passed.

No. 465 was read a first time, the rules suspended, the bill read a second time,

When,

Mr. Hanna moved to lay the bill on the table,

Which did not prevail, and,

On motion,

The rules were suspended, the bill read a third time and passed.

No. 467 was read a first time, the rules suspended, the bill read a second time,

When,

On motion by Mr. Hunt,

The bill was rejected.

Also the following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

No. 459. An act to raise revenue for State purposes, for 1851.

In which the concurrence of the Senate is respectfully requested

No. 459, contained in the message, was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

On motion by Mr. Mickle,

House bill No. 384, to appraise the real estate of the State, and to make the value of the same equal and uniform throughout this State, was taken from the table,

When,

Mr. Dunn moved to lay the bill on the table,

Which was decided in the negative.

Mr. Niblack offered the following amendment:

Amend the first section by adding,

Provided, further, That the boards doing county business in the several counties of this State, in which the white male inhabitants in each of said counties over twenty-one years of age do not exceed twelve hundred, as appears by the last enumeration thereof, may, in their discretion, appoint the assessors of personal property of said counties, appraisers of real estate as above provided.

Which was adopted.

Mr. Dunn moved to strike out from the enacting clause and insert the following:

SEC. 1. That it shall be the duty of the county commissioners of the several counties in this State, at their March term in 1851, to appoint appraisers whose duty it shall be to appraise all the real estate subject to taxation in the several counties in Indiana, which appraisalment shall stand and remain in force until altered by the Legislature.

SEC. 2. That the assessors appointed under the provisions of the foregoing section, shall in all things observe and be governed by the third article of the twelfth chapter of the Revised Statutes of Indiana for the year 1843, except so far as the same may contravene the provisions of this act.

SEC. 3. That all persons subject to taxation in Owen county, shall make out a true list of all their personal, as well as real property, and present it to the assessors of the several townships in said county, whose duty it shall be to swear each one that said list contains a true statement of the amount and value of his property, to the best of his knowledge and belief, and the said assessors in the county of Owen shall be governed in all respects by the law now in force in said county, except so far as it contravenes this act.

SEC. 4. This act to take effect and be in force from and after its passage, and it shall be the duty of the Secretary of State to forward certified copies of this act to the several counties in this State: *Provided,* That nothing in this act shall be so construed as to permit the board doing county business in the county of Washington to appoint any other person than the assessor of the personal property of said county to assess the real estate thereof: *Provided,* That nothing herein contained shall be so construed as to prevent the boards doing county business to appoint the present assessors to perform the duties required in this act: *Provided,* That when any

of said counties have no assessor, then the board of commissioners shall appoint an appraiser.

SEC. 6. It is hereby made the duty of the several county auditors in this State, to make out and deliver to such appraiser, on demand, a list of all taxable lands situate in their respective counties, on or before the tenth day of March, 1851, together with the name or names of the owners thereof.

Which amendment was adopted, the rules suspended, the bill read a third time and passed.

The following message was received from the House of Representatives, by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bill of the Senate:

No. 208. An act to incorporate the Danville and White Lick Plank Road company.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to engrossed bills of the House.

No. 283. An act to incorporate the New Albany and Vincennes Plank Road Company.

No. 433. An act to amend the charter of the Evansville and Illinois Railroad Company.

Also, the following message was received from the House of Representatives, by Mr. Bowes, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate:

No. 160, 122, and 270;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House recedes from engrossed amendment thereof to Senate bill No. 172, an act to apportion Senators and Representatives for the next five years.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendment of the Senate to engrossed amendment of the House to engrossed bill of the Senate:

No. 220. An act to authorize the extension of the Knightstown and Shelbyville railroad.

Also, the following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the House, to-wit:

No. 89. An act to authorize John Warren to file a bill in chancery, in the Tipton Circuit Court.

In which the concurrence of the Senate is respectfully requested.

No. 89, contained in the preceding message, was read a first time, the rules suspended, read a second time, and the rules being further suspended, was read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, the House has passed the following engrossed bills thereof:

No. 158. An act to repeal an act therein named.

No. 318. An act amending the criminal law of this State and declaratory thereof.

No. 437. An act amendatory and supplemental to an act to in-

corporate the Vevay, Mt. Sterling and Versailles Turnpike Road Company, approved January 4th, 1850.

No. 346. An act to authorize the Commissioners of Wabash county to sell the surplus revenue bank stock.

No. 432. An act to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad company, approved February 6th, 1835, and the several acts amendatory thereof.

No. 416. An act in reference to proceeding upon *seira facias*.

No. 365. An act to amend an act entitled an act to authorize the transfer of cases pending in the Probate to the Circuit Court, as far as relates to Putnam county, approved January 16th, 1849, and for other purposes.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message, Nos. 437, 346, and 365 were read a first time, the rules suspended, the bills read a second time, the rules further suspended, the bills read a third time and passed.

No. 158, contained in the message, was read a first time, the rules suspended, the bill read a second time, and,

On motion by Mr. Harvey,

The bill was indefinitely postponed.

No. 318, contained in the message, was read a first time, the rules suspended, the bill read a second time, and,

On motion by Mr. Hamrick,

The bill was indefinitely postponed.

No. 416, contained in the message, was read a first time, the rules suspended, the bill read a second time, when,

On motion by Mr. Dunn,

The bill was rejected.

No. 432, contained in the message, was read a first time, the rules suspended, the bill read a second time, when,

Mr. Dunn moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Dunn, Hamrick, Milliken, Montgomery, Odell, Winstandley, and Woods—9.

Those who voted in the negative were,

Messrs. Brugh, Buckles, Cravens, Day, Defrees, Delevan, Dole, English, Evans, Garver, Graham, Hardin, Harvey, Henton, Holloway, Hunt, James, Knowlton, Marshall, McCarty, Mickel, Niblack, Porter, Sleeth, Teegarden, and Walker—26.

So the bill was not indefinitely postponed.

Mr. Dunn moved to refer the bill to the committee on Corporations,

When,

Mr. Eddy moved to lay the motion on the table;

Which was decided in the negative.

Mr. Dunn moved to refer the bill to the Judiciary committee.

Mr. Eddy moved the previous question,

When,

On motion by Mr. Dunn,

A call of the Senate was ordered.

A quorum being present,

On motion by Mr. Knowlton,

A further call of the Senate was dispensed with.

When the previous question was seconded.

The question being, shall the main question be now put?

Those who voted in the affirmative were,

Messrs. Adams, Brugh, Cravens, Day, Defrees, Dole, Eddy, Evans, Garver, Graham, Hamrick, Harvey, Henton, Holloway, Hunt, James, Knowlton, Marshall, McCarty, Mickle, Portor, Sleeth, Teegarden, Turman, and Walker—25.

Those who voted in the negative were,

Messrs. Alexander, Allen, Athon, Dunn, Ellis, Milliken, Montgomery, Niblack, Odell, and Winsteadley—10.

Which was decided in the affirmative.

Mr. Defrees moved to suspend the rules, and read the bill a third time now.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Berry, Brugh, Cravens, Day, Defrees, Dole, Eddy, Evans, Garver, Graham, Hardin, Harvey, Henton, Holloway, Hunt, James, Knowlton, Marshall, McCarty, Mickle, Niblack, Porter, Sleeth, Teegarden, and Turman—25.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Delevan, Dunn, Ellis, Hamrick, Milliken, Montgomery, Odell, Walker, Winsteadley, and Woods—14.

So the rules were not suspended.

RESOLUTIONS INTRODUCED.

By Mr. Mickle;

Resolved, That when the Senate adjourns, it adjourns to meet this evening at 7 o'clock.

Which was adopted.

By Mr. Dunn;

Resolved, unanimously, That the thanks of the Senate are due and are hereby tendered to the Honorable Joseph H. Lane, for the able, impartial, and dignified manner in which he has discharged his duties as the presiding officer of this body during the present session.

Which was adopted.

On motion by Mr. Woods,

The vote taken on the passage of bill of the House, No. 437, amendatory and supplementary to an act to incorporate the Vevay, Mount Sterling, and Versailles Turnpike Company, approved January 4, 1850, was reconsidered.

The question then recurring on the passage of the bill,

It was not passed.

Mr. Eddy made the following report:

MR. PRESIDENT:

The committee on Corporations, to whom was referred bill of the House, No. 354, entitled an act to incorporate the town of Salem, in the county of Washington, have had the same subject under consideration, and have instructed me to report the bill back to the Senate with one amendment, and after the adoption of which, they recommend its passage.

Amend by striking out section 4, and insert as follows:

It shall be the duty of the board of commissioners of said county of Washington to make provision to have a poll opened and a vote taken, by the qualified voters of said town of Salem, within one year after the passage of this act; and said board is hereby authorized to make all necessary orders to carry into effect the provisions of this section.

This act shall be in force when a majority of the qualified voters of said town of Salem shall have approved the same.

Which report was concurred in, the amendment adopted, and the bill ordered to a third reading.

Report by Mr. Berry;

MR. PRESIDENT:

The committee on the State Bank, to whom was referred sundry reports, resolutions, &c., return them to the Senate, and recommend that they lie on the table.

Which was concurred in.
Report by Mr. Holloway;

MR. PRESIDENT:

The select committee, to which was referred House bill No. 382, entitled an act to extend a certain road therein named, have had the same under consideration. and have directed me to report the same back to the Senate, and recommend its passage.

Which report was concurred in, the rules suspended, the bill read a third time and passed.

On motion by Mr. Defrees,

No. 294. A bill to repeal an act therein named;

Was taken from the table, the rules suspended, the bill read a third time and passed.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, without amendment:

No. 107. An act authorizing licensed merchants to vend clocks.

No. 243. An act to amend an act entitled an act to incorporate the Decatur, Portland and Winchester Plank Road Company.

No. 247. An act for the relief of Michael Grannin, of Daviess county.

No. 249. A preamble and act relative to vending spirituous liquors in Green township, in Hancock county.

No. 303. An act in relation to the leveeing and draining the land in the Lower Prairie below Vincennes, in Knox county.

The following message was received from the House of Representatives by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the Speaker of the House has signed the following enrolled acts of the House:

Nos. 352, 293, 320, 301, 278, 330, and 296.

Which I am directed to bring to the Senate for the signature of the President thereof;

Whereupon the President affixed his signature thereto.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills of the Senate without amendment, to-wit:

No. 207. An act to amend article 5, of chapter 48, of the Revised Statutes of 1843, in relation to the writ of *ad quod damnum*.

No. 262. An act to legalize certain acts of County Auditors.

No. 282. An act to provide for the payment of the debts and liabilities of the Hagerstown Canal Company.

No. 290. An act to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad Company.

No. 292. An act for the relief of the estate of John Riley, late of Martin county.

No. 302. An act to incorporate the Covington, Newtown and Lafayette Plank Road Company.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill thereof:

Mo. 481. An act making specific appropriations for the year 1851;

In which the concurrence of the Senate is respectfully requested.

No. 481 contained in the message was read a first time.

When,

Mr. Niblack offered the following amendment:

SEC —. The sum of forty-five dollars be and is hereby appropriated out of the tolls of the "New Albany and Vincennes Turnpike Road," to be paid by the Superintendent of said road, to Michael Riley, late Superintendent, for extra expenses incurred while the said Riley was Superintendent in collecting tolls upon said road.

Mr. Cravens moved to lay the amendment on the table;

Which was decided in the negative.

The question being on the adoption of the amendment.
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Alexander, Athon, Brugh, Defrees, Dole, Dunn, Eddy, Ellis, English, Harvey, Henton, Knowlton, Marshall, McCarty, Miliken, Niblack, Teegarden, Turman, Walker and Winstandley—20.

Those who voted in the negative were,

Messrs. Adams, Allen, Buckles, Cravens, Day, Delevan, Evans, Garver, Graham, Hardin, Montgomery, Porter, Sleeth and Woods—14.

So the amendment was adopted.

Mr. Buckles offered the following amendment :

Add the following section :

Sec. —. This act to be in force from and after its passage ;

Which was adopted.

Mr. McCarty offered the following amendment :

That John G. Weeks be allowed the sum of two dollars for services as notary public in swearing witnesses before the committee on the Hospital for the Insane ;

Which was adopted.

Mr. Winstandley offered the following amendment :

Sec. —. That James R. M. Bryant be allowed the sum of thirty-two dollars and fifty cents ; amount expended by him in taking depositions for the State against the Trustees of the Wabash and Erie Canal.

Sec. —. That Thomas A. Morris and A. F. Morrison be allowed ten dollars each for services as appraisers, under the act providing for the sale of the Central Canal ;

Which was adopted.

Mr. Mickle offered the following amendment :

Sec. —. The further sum of one thousand dollars, be and is hereby appropriated out of the tolls of the " New Albany and Vincennes Turnpike Road," in addition to the same already appropriated, to be expended under the direction of the Superintendent of said road, on that portion of the same east of Paoli, in repairing the same and in keeping up the bridges thereon.

Which,

On motion by Mr. Harvey,

Was laid on the table.

Mr. English offered the following amendment :

Sec. —. That the Masonic Hall Company be allowed one hundred and thirty-two dollars and forty cents for grading and graveling Tennessee and Market streets, opposite the State property.

Which,

On motion by Mr. Hardin.

Was laid on the table.

On motion by Mr. Dunn,

The ninth section of the bill was stricken out.

On motion by Mr. Graham,

The 22d section was stricken out of the bill.

On motion by Mr. Dunn,

The 36th section was stricken out of the bill.

Mr. Woods moved to reconsider the vote taken on striking out the section.

Which was decided in the negative.

On motion,

The rules were suspended, the bill read a third time and passed.

On motion,

The Senate adjourned.

7 o'clock, P. M.

The Senate met.

When,

On motion by Mr. Dunn,

The vote taken on the passage of House bill No. 481 was reconsidered.

On motion by Mr. Dunn,

The vote taken striking out the 9th section of the bill was reconsidered.

The bill was then passed.

On motion by Mr. McCarty,

The vote rejecting House bill No. 416, was reconsidered.

When,

On motion,

The rules were suspended, the bill read a third time and passed.

Mr. English made the following report:

MR. PRESIDENT :

The committee on Claims, to whom was referred so much of the Governor's message as relates to the claim of the widow of the Hon. E. J. Black, direct me to report it back, and ask to be discharged.

Which report was concurred in.

Mr. Hardin made the following report:

MR. PRESIDENT:

The committee on Education, to whom was referred sundry petitions and resolutions of the Senate in relation to amendments of the Common School Law, have had the same under consideration, and have instructed me to return the same to the Senate and recommend that they be laid on the table, for the reasons that the prayers of the petitioners and objects of the resolutions have already been granted or the same are inexpedient.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following joint resolution:

No. 469. A joint resolution authorizing the distribution of the journal and debates of the late Constitutional Convention.

In which the concurrence of the Senate is respectfully requested.

Bill 469, contained in the message, was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

No. 473. An act supplemental to an act entitled "an act to provide for the defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes, passed in February, 1851.

No. 474. An act to amend an act providing for the election of Township Assessors in the counties of Greene and Hamilton, approved January 18th, 1850.

No. 471. An act to restrict the Grand Jury of the county of Marshall to a limited time in their sessions.

No. 478. An act relative to the taxation of costs in certain cases.

No. 480. An act to amend an act entitled "an act to improve the roads in Center township, in Dearborn county.

In which the concurrence of the Senate is respectfully requested.

Bills contained in the message Nos. 89, 471, 473, 474, and 478 were severally read a first time, the rules suspended, the bills read a

second time, the rules further suspended, the bills read a third time and passed.

No. 480 was read a first time, the rules suspended, the bill read a second time, the rules suspended, the bill read a third time and passed.

The following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate with one amendment.

No. 35. An act for the relief of the widow and heirs of Alexas LeRoy, deceased.

In which the concurrence of the Senate is respectfully requested.

Which amendment was concurred in.

Also, the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill of the Senate No. 150 with one amendment.

No. 150. An act providing for the location of a State road in Perry county, to Spencer, in Owen county, in this State.

In which the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

Also, the following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

No. 84. An act to provide for the election of Township Assessors in the counties of Daviess and Martin.

In which the concurrence of the Senate is respectfully requested.

No. 84, contained in the message, was read a first time, the rules suspended, the bill read a second time and referred to Senators Niblack, Woods, and Cravens.

Also, the following message from the House of Representatives was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate the House has passed the following engrossed bills thereof, to-wit:

No. 436. An act to incorporate the Orleans, Paoli, and Cannelton Railroad Company.

No. 470. An act to incorporate the town of Milford, in Decatur county.

No. 477. An act to amend an act passed January 16th, 1849.

No. 479. An act relative to the practice of the law in Marion county.

In which the concurrence of the Senate is respectfully requested.

Bill contained in the message No. 436 was read a first time.

No. 470 was read a first time, the rules suspended, the bill read a second time, the rules further suspended, the bill read a third time and passed.

No. 477 was read a first time.

Mr. Hamrick moved to suspend the rules and read the bill a second time now.

Which did not prevail.

When

Mr. Ellis moved to reconsider the vote.

The ayes and noes being demanded, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Cravens, Defrees, Dole, Evans, Garver, Hamrick, Harvey, Holloway, Marshall, Teegarden, and Winstandley—12.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Berry, Buckles, Day, Delevan, Dunn, Eddy, Ellis, English, Graham, Hardin, Henton, Knowlton, Mickle, Milliken, Niblack, Sleeth, Turman, Walker, and Woods—22.

So the vote was not reconsidered.

No. 479 was read a first time, the rules suspended, the bill read a second time, when,

Mr. McCarty offered the following amendment:

Strike out from the enacting clause and insert the following:

Amend as follows:

SEC. —. That hereafter there shall be held two terms of the circuit court for the county of Marion, in each year, to commence as follows, viz: On the second Monday in June, and the second Monday in December, and said court shall continue in session at said terms as long as the business thereof shall require.

SEC. —. That the first and second weeks of said terms shall be for making up issues in civil causes, and the trial of criminal causes, and no civil causes shall be set for trial upon an issue of facts during said first two weeks, but every civil cause shall be subject to be called on the first and each succeeding day of the term for the making up of issues, judgments upon demurrer, default, or for want of plea or answer, upon confession, and by consent of parties, may be rendered upon any day of the term.

SEC. —. A petit jury shall be summoned for the first week of each term, and shall continue during the term grand jurors shall be summoned, as at present provided by law.

SEC. —. All writs, process, and notices which may have been issued, or been served before the taking effect of this act, in relation to matters now pending, or to be pending in said circuit court, are hereby made returnable to the first day of the next term of said court as fixed by this act, and all suits, recognizances, motions, rules, and other proceedings, which at the time of taking effect of this act shall be pending at any term of said court shall be acted upon therein in the same manner as if this act had been in force at the time they were issued, commenced, taken, or instituted.

SEC. 5. All laws contravening the provisions of this act, or fixing other, or different times, for the holding of said circuit court, and for creating separate criminal terms thereof, be and the same is hereby repealed.

SEC. 6. This act to be in force from and after its passage.

Which was adopted, the rules suspended, the bill read a third time and passed.

Leave being granted, Mr. Niblack made the following report:

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 84, entitled an act to provide for the election of township assessors in the counties of Daviess and Martin, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend that it be laid on the table.

Which report was concurred in, and the bill laid on the table.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has refused to concur in Senate amendments to House bill No. 384, to-wit:

An act to appraise the real estate of the State, and to make the value of the same equal and uniform throughout this State.

On motion by Mr. Graham,
The Senate receded from their engrossed amendment.
Mr. Buckles asked and obtained leave to withdraw from the files petition, and remonstrances, relative to lowering a dam in Crawford county.

The following message from the House was taken up:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, with sundry amendments.

No. 143. An act to incorporate a Gas Light Company in the city of Madison.

Which amendment was concurred in by the Senate.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be requested to return to the House, House bill No. 477, instant.

On motion,

The Senate concurred, and directed the bill to be returned to the House.

The following message was received from the House of Representatives:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in the second engrossed amendment of the Senate to House bill No. 481, an act making specific appropriations for the year 1851, and refused to concur in the first amendment.

On motion by Mr. Graham,

The Senate insisted upon their engrossed amendment.

On motion by Mr. Odell,

House bill No. 406, to prevent attorneys from doing the duties of sheriff in Tippecanoe county was taken from the table, the rules suspended, the bill read a third time and passed.

The following message from the House was taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendments of the Senate to engrossed bill of the House No. 468, an act to amend an act entitled an act to incorporate the Ohio, Indiana, and Lake Michigan Railroad Company, approved January 17th, 1849, with one amendment.

Which amendment was concurred in by the Senate.

On motion,

Leave was granted to Mr. Turman to withdraw from the files a petition in relation to relocating the county seat of Fountain county.

On motion by Mr. Niblack,

The following message and bill was taken from the table:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have concurred in the first engrossed amendment of the Senate to bill of the House, entitled,

No. 156. An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess.

And have refused to concur in the second.

When,

On motion by Mr. Ellis,

The Senate insisted upon their amendment.

Mr. Ellis moved to reconsider the vote taken on refusing to suspend the rules to read bill No. 100.

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative were,

Messrs. Athon, Berry, Buckles, Day, Defrees, Dole, Eddy, Ellis, Evans, Garver, Graham, Hardin, Harvey, Henton, Holloway, Hunt, Knowlton, Marshall, McCarty, Mickle, Sleeth, Teegarden, and Turman—23.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Dunn, Hanna, Milliken, Montgomery, Odell, Walker, Winstandley, and Woods—11.

So the vote was reconsidered.

The question recurring on suspending the rules,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative were,

Messrs. Berry, Buckles, Day, Defrees, Dole, Eddy, Ellis, Evans, Garver, Graham, Hardin, Harvey, Henton, Holloway, Hunt, Knowlton, Marshall, McCarty, Mickle, Sleeth, Teegarden, and Turman—
23.

Those who voted in the negative were,

Messrs. Adams, Alexander, Allen, Athon, Dunn, Hanna, Milliken, Montgomery, Niblack, Odell, Walker, Winstandley, and Woods—
13.

So the rules were not suspended.

Mr. Ellis moved to take up

No. 403. A joint resolution for the relief of Captain William Waldo;

Which was decided in the affirmative;

The rules being suspended, the bill was read a third time and passed.

Mr. Hanna moved that the Senate adjourn.

Which was decided in the negative.

Leave being granted,

Mr. Dunn offered the following resolution:

Resolved, That when the Senate adjourns this day, it will adjourn to meet to-morrow morning at 7 o'clock.

Which was laid on the table.

Mr. Woods offered the following resolution:

Resolved, That the State Printer be required to deliver to the Superintendent of the Indiana Hospital for the Insane, for distribution, all the remaining copies of the report of the joint committee appointed to investigate the charges preferred against the officers connected with said Hospital.

Which was adopted.

When,

On motion,
The Senate adjourned.

THURSDAY MORNING, February 13, 1851.

The Senate met.

Reading the Journal dispensed with.

The following message was received from the House of Representatives, by Mr. Bowes, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House adheres to its disagreement to the Senate amendments of the House bill:

No. 481. An act making specific appropriations for the year 1851.

And that Messrs. Bird and Willard have been appointed a committee of free conference on the part of the House to act with a similar committee on the part of the Senate.

On motion by Mr. Hanna,

The Senate reciprocated, and appointed Messrs. Eddy and Winstandley said committee.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House adheres to its disagreement to engrossed amendments of the Senate to engrossed bill of the House:

No. 156. An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess.

And that Messrs. Goodwin and Stone have been appointed a committee of free conference on the part of the House, to act with a similar committee on the part of the Senate.

When,

On motion,

The President appointed Messrs. Ellis and Berry a committee of free conference on the part of the Senate.

On leave,
Mr. Garver made the following report :

MR. PRESIDENT :

The committee on Finance, to whom was referred sundry resolutions and one petition, have directed me to report the same back, and recommend that they be laid on the table.

Which report was concurred in by the Senate.

The following message was received from the House of Representatives :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has appointed Mr. Rice as one of the committee of free conference on bill No. 156, instead of Mr. Stone, who is absent.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bills of the House, to-wit :

Nos. 74, 174, 188, 219, 241, 253, 257, 276, 303, 311, 333, 337, 338, 353, 355, 371, 377, 388, 394, 395, 400, 402, 411, 427, 433, 446, and 459.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Report by Mr. Ellis, from a committee of free conference :

MR. PRESIDENT :

The committee of free conference, to whom was referred the disagreement of the two houses upon the engrossed amendment of the Senate to House bill No. 156, to amend an act to incorporate the Ohio and Mississippi Railroad Company, have instructed me to report that they have been unable to come to any agreement upon the subject, and ask to be discharged from further consideration of the subject.

Which was concurred in by the Senate.

Mr. Eddy made the following report :

MR. PRESIDENT :

The committee of free conference, to whom was referred the disagreement of the two houses on the amendment of the Senate to bill No. 481, entitled an act making specific appropriations for the year 1851, have conferred together, and agree to allow J. W. Townley & Co., thirty-nine dollars and twenty-seven cents, for reasons set forth in said bill, and also to amend section 24 so as to read, "ten dollars and fifty cents" be allowed, &c., and ask that the Senate concur in said agreement.

Which was concurred in by the Senate.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in the report of the committee of free conference appointed to take into consideration the disagreement of the two houses in relation to the engrossed amendment of the Senate to engrossed bill of the House :

No. 481. An act making specific appropriations for the year 1851.

Mr. Graham introduced the following resolution :

Resolved, That in the opinion of the Senate the Assistant Secretaries are its elected officers, and therefore entitled to a copy of the Debates of the Constitutional Convention; and the Secretary of said Convention is respectfully requested to deliver a copy of the same to them.

Which was adopted.

Mr. Montgomery offered the following resolution :

Resolved, That the testimony taken by the committee of investigation on the subject of the Hospital for the Insane, be spread on the Journal of the Senate.

Which was adopted.

Report by Mr. Teegarden ;

MR. PRESIDENT :

The committee on Enrolled Bills have compared enrolled bills of

the Senate, Nos. 264, 161, 108, 256, 66, 215, 135, 294, 248, 293, 248, 279, 241, 273, 5, 164, 239, 253, 287, 291, 259, 242, 283, with the engrossed, and find them correctly enrolled.

On motion by Mr. Dole,

The vote indefinitely postponing Senate bill No. 263, to amend section 40, part 3, of the Revised Statutes of 1843, was reconsidered, When,

On motion,

The rules were suspended, the bill read a third time and passed.

On motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives, by Mr. Bowes their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate:

Nos. 253, 164, 5, 273, 241, 279, 293, 248, 294, 135, 242, 259, 215, 256, 161, 66, 283, 108, 112, 291, 287, and 239.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Also the following message was received from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof :

Nos. 466, 364, 294, 465, 460, 458, 426, 464, 441, 125, 442, 305, 346, 207, 236, 36, 435, 365, and 383.

Which I am directed to bring to the Senate for the signature of the President thereof:

Whereupon the President affixed his signature thereto.

Mr. Ellis offered the following resolution :

Resolved, That the communication of the Auditor of State, on the subject of the printing of the Convention, be entered on the Journal of the Senate.

Which was adopted.

[Printed in Journal of Tuesday, Jan. 28, pp. 299-304.]

Mr. Niblack offered the following resolution :

Resolved, That the thanks of the Senate are due, and are hereby tendered to the reporters of the Indiana State Journal and Indiana State Sentinel for the prompt and impartial manner in which they have reported the proceedings of the Senate at its present session.

Which was adopted.

The following message was received from the House of Representatives:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof: Nos. 434, 453, 443, 480, 360.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Mr. Niblack offered the following resolution :

Resolved, That when the Senate adjourns it will adjourn to meet again this evening at 8 o'clock.

Which was adopted.

On motion,

The Senate adjourned.

8 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives :

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate:

Nos. 159, 50, 290, 257, 254, 227, 265, 65, 206, and 302.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

The following message was received from his Excellency, the Governor, by his Private Secretary, Mr. Noel:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following bills:

No. 208. An act to incorporate the Danville and White Lick Plank Road Company.

No. 127. An act to amend chapter 4 of the Revised Statutes of 1843.

No. 178. An act to prevent the consolidation of indictments in certain cases, in the county of Dearborn.

No. 160. An act to incorporate the Anderson, Alexandria, and Jonesborough Plank Road Company.

No. 123. An act to extend further time to the borrowers of the Sinking Fund and other trust funds.

No. 370. An act to authorize the Commissioners of Ohio county to collect tolls at a certain bridge therein named.

No. 264. An act for the relief of Daniel Stowell, of St. Joseph county.

No. 256. An act in relation to bills of exception.

No. 215. An act to incorporate the Danville and Claysville Plank Road Company.

No. 283. An act to amend an act to incorporate the Richmond and Newport Turnpike Company, approved January 5, 1849.

No. 164. An act to incorporate the Indiana Fire and Marine Insurance Company.

No. 293. An act to change the time of holding the Probate Court in the county of Grant.

No. 135. An act to amend section two of an act entitled an act to amend the laws relating to the execution of deeds by order of the Probate Court, approved January 15, 1849.

No. 5. An act to amend "an act to incorporate the town of Liberty, in Union county," approved January 18, 1850.

No. 253. An act to legalize the survey and location of the Vistula State road in Elkhart county.

No. 241. An act to authorize the construction of viaducts under public highways.

No. 242. An act to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company," approved January 21, 1850.

No. 273. An act in relation to State roads in Johnson county.

No. 279. An act for the benefit of the State Agent.

No. 248. An act to amend an act entitled "an act to incorporate the Indianapolis and Brownsburgh Plank Road Company," approved January 18, 1850.

No. 294. An act to incorporate the Bedford Central Plank Road Company.

No. 161. An act to provide for the incorporation of subordinate lodges of the Independent Order of Odd Fellows.

No. 259. An act for the benefit of the Edinburgh and Western Plank Road Company.

No. 283. An act to amend an act entitled an act to incorporate the Richmond and Newport Turnpike Company, approved January 5, 1849.

No. 239. An act to authorize the voters of Jackson township, in the county of Blackford, to vote at Hartford, in said county.

No. 187. An act to incorporate the Trustees of the Indiana Female College.

No. 108. An act to constitute a school district from a portion of territory in the counties of Grant and Blackford.

No. 291. An act for the protection of an orphan.

No. 112. An act in relation to the commission and punishment of crime.

No. 66. An act to incorporate the Winchester and Greenville Railroad Company.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof:

Nos. 133, 160, 396, 449, 399, 469, 385, 473, 89, 478, 455, 438, 416, 474, 428, 421, 384, and 481.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Mr. Teegarden made the following report:

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of

the Senate Nos. 29, 223, 261, 265, 65, 206, 347, 220, 302, 254, 290, 159, 50, 257, and 227, with the engrossed, and find them correctly enrolled.

Mr. Hamrick moved to take from the table the motion to reconsider the vote on concurring in the amendment of the House to the amendment of the Senate to resolution of the House fixing the day of the adjournment of the General Assembly.

Which motion prevailed, and the vote was reconsidered.

When

Mr. Hamrick moved to concur with the following amendment:

Strike out "13th" and insert "14th."

Which was decided in the affirmative.

Mr. Eddy made the following report:

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 237, entitled a bill to incorporate the Michigan City, Lafayette, and Chicago Railroad Company, have had the same under consideration and directed me to report it to the Senate and recommend that it be indefinitely postponed.

Which report was concurred in by the Senate.

On motion by Mr. Eddy,

The vote adopting the resolution in reference to spreading upon the journal the testimony taken by the committee appointed to investigate the charges against the Superintendent of the Insane Hospital, was reconsidered.

When,

On motion by Mr. Eddy,

The resolution was laid on the table.

Report by Mr. Eddy;

MR. PRESIDENT:

The committee on Corporations, to whom was referred Senate bill No. 181, have had the same under consideration and directed me to report it back and recommend that it be laid on the table.

Which was concurred in by the Senate, and the bill laid on the table.

Report by Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills of

the Senate Nos. 243, 298, 303, 292, 107, 285, 231, 229, 236, 267, 284, 247, 280, 202, 299, 249, 276, 282, 182, 278, 172, 288, 271, and 207, with the engrossed, and find them correctly enrolled.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the House, to-wit:

Nos. 344, 422, 424, 429, 470, 439, 450, 382, 408, 403, 342, 142.

Which I am directed to bring to the Senate for the signature of the President.

Whereupon the President affixed his signature thereto.

Also, the following message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendment of the Senate to the amendment of the House to the resolution of the House fixing the day of final adjournment on the 14th inst.

Also, the following message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

Nos. 299, 247, 285, 303, 243, 220, 292, 107, 288, 267, 284, 229, 236, 231, 177, 276, 282, 249, 182, 280, 202, 298.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature thereto.

Mr. Hamrick offered the following resolution:

Resolved, That when the Senate adjourns it will adjourn to meet to-morrow morning at 6 o'clock.

Which was adopted.

When,

On motion,

The Senate adjourned.

FRIDAY, 6 o'clock, A. M., February 14, 1851.

The Senate met.

Report by Mr. Teegarden;

MR. PRESIDENT:

The committee on Enrolled Bills have compared enrolled bills Nos. 157, 300, 268, 143, 149, 154, 281, 223, with the engrossed thereof, and find them correctly enrolled.

Mr. Winstandley offered the following resolution:

Resolved, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives to wait on his Excellency, the Governor, and inform him that the two Houses of the General Assembly have gone through with the business of the session, and are now ready to adjourn *sine die*, unless he has some further communication to make.

Which was adopted, and Messrs. Winstandley and Teegarden were appointed said committee.

The following message was received from his Excellency the Governor:

EXECUTIVE DEPARTMENT, }
FEBRUARY 13, 1851. }

Gentlemen of the Senate:

I have this day approved the following bills, to-wit:

An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company.

An act to amend the charter of the Evansville and Illinois Railroad Company.

An act to authorize the city of Lafayette to subscribe to the stock of the Indianapolis and Lafayette Railroad Company.

These bills authorize the selling of bonds at any rate of discount or interest that may be agreed upon, in all of which companies there is more or less of county and city stocks.

This same principle has been approved, after mature deliberation, by a decided majority of both Houses this session, over my objections.

I have seen nothing to induce me to change my opinions, but time has served to confirm the correctness of the views that I expressed in my message on this subject.

This being, however, merely a question of expediency, involving no constitutional question, it being evident that there is no quorum present to vote upon these bills if returned by me, and there not being time for them to become the law of the land under the Constitution on account of your adjournment, and believing it to be the duty of the Executive to conform to the will of the Representatives of the people, when clearly expressed, on questions of expediency, leaving the responsibility of their acts between them and their constituents, I respectfully ask that this communication may be placed upon the Journal of the Senate, as a mere statement of my reasons for approving the bills referred to at this hour in the session.

JOSEPH A. WRIGHT.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate, to-wit:

Nos. 143, 150, 154, 300, 262, 223, 149, 281, 268, 157, 81, 274, 254.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills thereof; Nos. 457, 406, 461, 287, 423, 405, 288, 425, 401, 362, 393, 412, 413, 391, 451, 321, 452, 456, 440, 471, 165, 347, 291.

Which I am directed to bring to the Senate for the signature of the President.

Whereupon the President affixed his signature thereto.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have reciprocated the resolution of the Senate, appointing a joint committee to wait upon his Excellency, the Governor, and inform him that the two Houses of the General Assembly have gone through with the business of the session, and are now ready to adjourn *sine die*, unless he has some further communication to make, and have appointed Messrs. Willard and Edwards the committee on the part of the House.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following bills:

No. 261. An act amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company.

No. 206. An act to amend an act entitled an act to amend the fifteenth chapter of the Revised Statutes, approved January 26, 1847, so far as relates to the county of Shelby.

No. 302. An act to incorporate the Covington, Newtown, and Lafayette Plank Road Company.

No. 257. An act fixing the per diem pay of the members of the Legislature.

No. 262. An act to legalize certain acts of County Auditors.

No. 300. An act to incorporate the Vincennes and Orleans Plank Road Company.

No. 81. An act to repeal an act therein named, and to revive the Statutes of 1843, relative to the election of prosecuting attorneys.

No. 274. An act relative to township elections when there is more than one precinct in any township, in the counties of Daviess and Martin.

No. 268. An act to exempt Guardians from the payment of clerks' fees in certain cases.

No. 149. An act for the encouragement of Agriculture.

No. 150. An act providing for the location of the State Road from Troy in Perry county to Spencer in Owen county in this State.

No. 143. An act to incorporate a Gas Light company in the city of Madison.

No. 281. An act to relocate the Seat of Justice for Fountain county.

No. 154. An act authorizing county Auditors to administer oaths in certain cases therein specified.

No. 35. An act for the relief of the widow and heirs of Alexis LeRoy, deceased.

No. 157. An act to consolidate and publish in one act the several acts incorporating the city of Lawrenceburgh and to revise and amend the same.

No. 174. An act relative to the Western Plank Road Company.

No. 223. An act to authorize certain School Districts in Adams county, to draw their proportion of the common school funds.

No. 177. An act authorizing the Western Plank Road Company to issue and sell bonds.

No. 243. An act to amend an act entitled "an act to incorporate the Decatur, Portland and Winchester Plank Road Company."

No. 292. An act for the relief of the estate of John Reily of Martin county, deceased.

No. 280. An act to authorize the board of Commissioners of

Martin county, to order a vote to be taken in a certain case relating to the Seat of Justice of said county.

No. 303. An act relative to levelling and draining the lands in the lower Prairie below Vincennes in Knox county.

No. 299. An act authorizing the removal of drift and obstructions in Little river in the counties of Allen and Huntington.

No. 267. An act in relation to the sale of spirituous liquors, in Jefferson township in Wayne county.

No. 285. An act to incorporate the Widows' and Orphans' Asylum at Indianapolis.

No. 197. An act to repeal an act therein named.

No. 247. An act for the relief of Michael Grannin, jr., late of Daviess county.

No. 236. An act to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad Company."

No. 282. An act to provide for the payment of the debts and liabilities of the Hagerstown Canal Company.

No. 249. A preamble and act in reference to vending spirituous liquors in Greene township in Hancock county.

No. 276. An act to locate a State road in Warren and Fountain counties.

No. 202. An act for the benefit of the Mount Vernon and New Harmony Plank Road company.

No. 231. An act to vacate a part of Jennings and Jackson streets in the town of Rushville.

No. 298. An act to incorporate the Patriot and Allensville Turnpike company.

No. 288. An act to authorize the erection of a mill-dam across the Wabash river in Cass county Indiana.

No. 219. An act to amend an act entitled "an act to revise and consolidate the several acts of the General Assembly, relative to laying, opening, repairing, changing and vacating Public Highways, and to the erection and repair of bridges, and to amend the same, so far as the same relates to the county of Putnam."

No. 220. An act to authorize an extension of the Knightstown and Shelbyville Railroad.

No. 284. An act giving additional time to the Hancock Circuit Court.

No. 107. An act authorizing licensed merchants to vend clocks.

No. 229. An act to amend an act entitled "an act to incorporate the Centreville and Abington Turnpike Company," approved 12th February, 1848.

No. 271. An act to amend an act entitled "an act to incorporate the city of Richmond, Wayne county, Indiana."

No. 207. An act to amend article fifth of chapter 48, of the Revised Statutes of 1843, in relation of the writ of ad quod damnum.

No. 172. An act to apportion Senators and Representatives for the next five years.

No. 159. An act to authorize the township trustees of Lawrenceburgh township, of Dearborn county to assess and collect a Free Bridge Tax.

No. 265. An act to incorporate the Central Canal Manufacturing Hydraulic and Water Works Company.

No. 290. An act to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad Company.

No. 278. An act to incorporate the Clinton Draw Bridge Company.

No. 222. An act for the relief of John H. Cutter, surviving partner of B. G. Cutter & Co.

No. 254. An act to incorporate the Aurora and Hartford Turnpike Company.

No. 50. An act to incorporate the Liberty and Miami Railroad Company.

No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

No. 227. An act to authorize William M. Miller, administrator of the estate of James K. Hemphill, to make a deed to John Vawter.

No. 182. An act to organize a Court of Common Pleas, in the county of Jefferson.

Mr. Windstandley made the following report:

MR. PRESIDENT:

The joint committee appointed to wait on his excellency the Governor, and inform him that both houses of the General Assembly have gone through with their Legislative business and are now ready to adjourn, *sine die*, if he had no further communications to make to them, have performed that duty, and are directed by his Excellency to inform the General Assembly that he has no further communications to make to them, and that he wishes to the members thereof, health and happiness.

Mr. Winstandley offered the following resolution:

Resolved, That the Secretary inform the House of Representatives that the Senate have gone through with their Legislative business and are now ready to adjourn, *sine die*;

Which was adopted.

The following message was received from the House of Representatives.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That the Senate be informed, that the House have gone through with the legislative business of the present session and are now ready to adjourn, *sine die*.

When,

On motion,

The Senate adjourned, *sine die*.

C. S. HORTON,
Assistant Secretary of the Senate.

INDEX.

A

ABSENCE.

Leave of, granted to—	434
Mr. Reid,	
Committee appointed to investigate the charges against the officers of the Insane Hospital,	503
Said committee,	523
Mr. Dawson,	561
Mr. Miller,	561

ADAMS, THOMAS M.

Attended,	3
Petitions by,	137, 355, 375
Reports by,	130, 158, 401, 468, 552
Resolution by,	85
Bills introduced by,	265, 380, 404, 430
Motions by,	34, 84, 88, 137, 142, 151, 383, 425, 566, 569

ADJOURNMENT *SINE DIE*.

Fixed by the Senate, February 3, 1851,	174
Agreed to by the House with an amendment,	191
Fixed on the 14th day of February,	629

ALEXANDER, JESSE I.

Attended,.....	4
Reports by,.....	148, 245, 287, 360
Motions by,.....	326, 360

ALLEN, JOSEPH.

Attended,.....	4
Petitions by,.....	80, 137, 162
Reports by,.....	125, 262, 333, 486
Bills introduced by,.....	94, 276
Motions by,.....	80, 137, 162, 369, 426

ATHON, JAMES S.

Attended,.....	4
Petitions by,.....	75, 91, 163, 169
Reports by,.....	87, 125, 154, 192, 193, 218, 360, 394, 583
Resolutions by,.....	37, 43, 212, 450, 451
Bills introduced by,.....	67, 86, 140, 214, 232, 271, 317
Motions by,.....	67, 75, 91, 141, 144, 156, 170, 172, 186, 381, 477

AUDITOR OF STATE.

Annual report of (Sec. Doc. Journal),.....	58
Communication from transmitting report of Superintendent of New Albany and Vincennes Road,.....	59
Communicating abstract of enumeration of 1850,.....	59

AYES AND NOES.

On the motion to go into the election of Sergeant-at-arms,.....	6
On the resolution providing for taking newspapers—on reconsideration,.....	34
On an amendment to said resolution,.....	35
On a motion to correct the Journal,.....	38
On resolution to go into the election of Sergeant-at-arms,.....	42
On the motion to lay Senate bill No. 12 on the table,.....	42
On motion to suspend the rules,.....	43
On motion to refer House bill No. 4, to the committee on Corporations,.....	55

On the passage of Senate bill No. 12,.....	57 and 58
On the engrossment of Senate bill No. 41,.....	85, 86
On the indefinite postponement of Senate bill No. 20,.....	88
On a resolution of the Senate,.....	93
On the passage of Senate bill No. 12 notwithstanding the objections of the Governor,.....	102
On a motion to suspend the rules,.....	103
On an amendment to a resolution relative to the election of United States Senator,.....	105
On an amendment to said resolution,.....	106
On a motion to lay said resolution on the table,.....	106
On a motion to postpone the consideration of said resolution,.....	107
On a motion to adjourn,.....	107
On a motion to amend said resolution,.....	107
On a motion to amend said resolution,.....	108
On a motion to adjourn,.....	108
On a motion to adjourn,.....	109
On the passage of House bill No. 4 notwithstanding the objections of the Governor,.....	114
On a motion to lay the resolution relative to the election of a United States Senator on the table,.....	115
On an amendment to said resolution,.....	116
On a motion to reconsider the last vote,.....	116
On a motion to reconsider the vote taken upon an amendment to said resolution,.....	116
On concurring in said resolution as amended,.....	117
On the passage of the bill of last session No. 212 notwithstanding the Governor's objections,.....	120
On an amendment to a resolution,.....	141
On a motion to lay an amendment to a House resolution on the table,.....	142
On a motion to adjourn,.....	143
On an amendment to said resolution,.....	143
On a call for the previous question,.....	143
On a motion to adjourn,.....	144
On seconding the call for the previous question,.....	145
On concurring in the resolution of the House,.....	145
On the motion to lay joint resolution No. 71 on the table,.....	152
On a motion to recommit Senate bill No. 75 to the committee on Corporations,.....	165
On a motion to instruct said committee,.....	165
On a motion to amend said bill,.....	165
On a motion to lay the instructions on the table,.....	166
On the adjourning resolution,.....	174
On an amendment to Senate bill No. 75,.....	178
On a motion to lay an amendment to said bill on the table,.....	179
On a motion to lay Senate bill No. 74 on the table,.....	186

On motion to indefinitely postpone House bill No. 72,.....	187
On a motion to reconsider the vote on the passage of said bill,.....	187
On concurring in the report of the Judiciary committee on House bill No. 18,.....	197
On the reference of joint resolution No. 23 to the committee on Federal Relations,.....	203
On the motion to lay the amendments to joint resolution of the House No. 92 on the table,.....	204
On the motion to reconsider the vote adopting an amendment to Senate bill No. 81,.....	210
On the passage of House bill No. 330 of the last session notwithstanding the Governor's objections,.....	220
On the passage of Senate bill No. 81,.....	223
On the passage of Senate bill No. 70,.....	224
On a motion to refer Senate bill No. 125 to the committee on Corporations,.....	226
On an amendment to House bill No. 82,.....	228
On the engrossment of Senate bill No. 19,.....	234
On the motion to lay Senate bill No. 100 on the table,....	244
On the motion to lay an amendment to said bill on the table,.....	244
On the engrossment of said bill,.....	245
On an amendment to Senate bill No. 98,.....	246
On the engrossment of Senate bill No. 91,.....	254
On the motion to postpone Senate bill No. 40,.....	259
On a motion for the call of the Senate,.....	267
On a motion to lay Senate bill No. 149 on the table,.....	290
On the motion to lay the instructions relative to said bill on the table,.....	290
On the engrossment of said bill,.....	291
On the motion to lay Senate bill No. 88, on the table,....	306
On an amendment to Senate bill No. 164,.....	309
On the motion to lay an amendment to Senate bill No. 40 on the table,.....	324
On a motion to recommit Senate bill No. 172,.....	325
On an amendment to said bill No. 172,.....	325
On motion to reconsider the vote on the engrossment of Senate bill No. 126,.....	327
On a motion to recommit House bill No. 24,.....	338
On an amendment to Senate bill No. 40,.....	338
On a motion to take up Senate bill No. 126,.....	339
On the reconsideration of the vote on the passage of said bill,.....	339
On the motion to recommit said bill,.....	340
On a motion to reconsider the vote on laying an amendment to Senate bill No. 40 on the table,.....	347
On a motion to lay an amendment to said bill on the table,	348

On a motion to lay an amendment to said bill on the table,	349
On a similar motion,.....	351
On a similar motion,.....	351
On a motion to adjourn,.....	352
On a motion to lay an amendment to said bill on the table,	353
On a motion to adjourn,.....	353
On a similar motion,.....	353
On a motion to lay an amendment to said bill on the table,	354
On a motion to adjourn,.....	354
On a motion to take from the table the House resolution relative to the adjournment,.....	362
On a motion to postpone said resolution,.....	362
On a motion to recommit Senate bill No. 126,.....	366
On a motion to indefinitely postpone Senate bill No. 147,...	368
On a motion to lay instructions relative to said bill on the table,.....	368
On a motion to recommit said bill,.....	368
On an amendment to Senate bill No. 172,.....	370
On an amendment to said bill,.....	370
On the engrossment of said bill,.....	371
On a motion to lay an amendment to Senate bill No. 147 on the table,.....	371
On the adoption of said amendment,.....	372
On a motion to lay an amendment to Senate bill No. 40 on the table,.....	373
On a motion to lay an amendment to said bill on the table,	374
On the engrossment of said bill,.....	374
On a motion to lay an amendment to Senate bill No. 148 on the table,.....	379
On the passage of Senate joint resolution No. 147,.....	381
On an amendment to Senate bill No. 166,.....	382
On the passage of Senate bill No. 172,.....	383
On ordering House bill No. 99 to 3d reading,.....	384
On the passage of Senate joint resolution No. 146,.....	384
On a motion to reconsider a vote on an amendment to Senate bill No. 164,.....	385
On the said amendment,.....	385
On an amendment to bill No. 148,.....	396
Relative to instructions relative to said bill,.....	396
On a similar motion,.....	397
On a motion to lay an amendment to said bill on the table,	398
On a motion to lay the bill and amendments on the table,...	398
On the engrossment of said bill,.....	399
On the engrossment of Senate bill No. 138,.....	405
On the engrossment of said bill,.....	407
On a motion to indefinitely postpone House bill No. 62,...	414
On committing Senate bill No. 216,.....	415

On a motion to lay an amendment to House bill No. 86 on the table,	426
On a similar motion,	427
On an amendment to the adjourning resolution,	432
On a similar motion,	433
On a similar motion,	433
On a similar motion,	433
On a similar motion,	434
On a similar motion,	434
On the indefinite postponement of Senate bill No. 210,	440
On the passage of Senate bill No. 257,	452
On the passage of House bill No. 86,	455
On a motion to indefinitely postpone Senate bill No. 222, ..	456
On a motion to lay an amendment to said bill on the table, ..	456
On a motion to lay the adjourning resolution on the table, ..	464
On a motion to postpone said resolution,	464
On a motion to adjourn,	465
On an amendment to Senate bill No. 117,	471
On a motion to lay said amendment on the table,	472
On a motion to lay a motion to reconsider on the table, ...	476
On a motion to reconsider the vote on the passage of joint resolution 266,	479
On a motion to lay a resolution &c. on the table,	496
On a similar motion,	497
On a motion to lay an amendment to Senate bill No. 266 on the table, ..	503
On the engrossment of said bill,	503
On an amendment to Senate bill No. 265,	506
On an amendment to said bill,	507
On an amendment to House bill No. 278,	520
On an amendment to said bill,	521
On the passage of said bill,	521
On the passage of Senate bill No. 276,	522
On an amendment to House bill No. 440,	542
On an amendment to said bill,	542
On an amendment to Senate bill No. 265,	543
On the same motion,	543
On the same motion,	543
On the same motion,	544
On ordering House bill 355 to a 3d reading,	553
On an amendment to House bill No. 285,	554
On the passage of said bill,	557
On ordering House bill No. 355 to a 3d reading,	564
On an amendment to House bill No. 160,	565
On an amendment to said bill,	565
On said amendment,	565
On the postponement of said bill,	566
On the indefinite postponement of House bill No. 351,	566

Relative to House bill No. 160,	569
On a motion to suspend the rules,	570
On House bill No. 160,	572
On the indefinite postponement of House bill No. 267,	577
On the passage of House bill No. 351,	579
On the indefinite postponement of House bill 292,	582
On the passage of House bill No. 282,	583
Relative to Senate bill No. 203,	586
Relative to said bill,	587
Relative to House resolution 237,	588
On the passage of House bill No. 407,	590
On postponing House bill No. 292,	591
On House amendment to Senate bill No. 172,	591
On an amendment to House bill No. 440,	592
On a motion to suspend the rules,	593
On the passage of said bill,	593
On the indefinite postponement of House bill No. 432,	607
Relative to said bill,	608
On a motion to suspend the rules,	608
On an amendment to House bill No. 481,	612
In relation to House bill No. 477,	616
Relative to bill No. 100,	619
On a motion to suspend the rules,	620

B

BERRY, GEORGE.

Attended,	8
Petitions by,	54, 461, 561
Reports by,	262, 525, 610
Bills introduced by,	214
Motions by,	54, 200, 233, 379, 503, 507, 591, 603

BILLS AND JOINT RESOLUTIONS OF THE SENATE.

644

<i>Number.</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
1	A bill for the relief of the borrowers of the school fund,	10	38, 44	44	280	331, 345	372	Harvey.
2	A bill to change the name of the Perry Cotton Mill,	10	51, 82, 102	102	175	221	235	Graham.
3	A bill to repeal section one of an act, approved January 19, 1850, entitled an act to amend an act to incorporate the city of Indianapolis, approved May 27, 1850,	10	51, 63, 77	77	138	161	179	McCarthy.
4	A bill to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846,	10	51, 64, 77	77	138	161	179	Holloway.
5	A bill to amend an act incorporating the town of Liberty,	10	51, 376, 377	377	574	624	626	Reid.
6	A bill for the relief of Mary Clark to convey real estate,	10	51, 74	75				Reid.

645

7	A bill to incorporate the Levee and Draining Company,	10	51, 83, 102	102	175	221	235	Graham.
8	A bill to amend an act entitled an act to incorporate the town of Noblesville, approved January 19, 1850,	37	51, 64	64	91	137, 154	179	Garver.
9	A bill to authorize the Probate Judge of Hamilton to appoint an administrator on the estate of John S. Massey,	38	51, 131	131	221	253, 293	307	Garver.
10	A bill authorizing Reason W. Prather to drain certain lowlands therein mentioned,	42	58	58	91	134, 154	179	Herod.
11	A bill to authorize the extension of the Newcastle and Richmond Railroad Company,	42	58, 76	76	138	161		Evans.
12	A bill for the benefit of the New Albany and Salem Railroad Company,	42	42, 43, 57	57	60	{ 71, 97, 98 99, 100, 101, 102 109		Dunn.
13	A bill to amend sections 456-7 of chapter 30, article 17, of the Revised Statutes of 1843,	52	52, 91, 118	118				Reid.
14	A bill to abolish the office of Auditor in the county of Ohio,	52	52	52	118	{ 134, 154, 191		Woods.
15	A bill for the relief of Joseph Allen of Crawford county,	52	52, 80, 105	105	227	{ 227, 274 390	562	Miller.
16	A bill to amend an act entitled, "an act to incorporate the Richmond and Williamsburgh Turnpike Road Companies,"	52	52, 63, 77	77	175	221	235	Holloway.

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
17	A bill for the relief and protection of stockholders in Railroad, Plank Road and Turnpike Road Companies,	56	56, 83, 123					Reid.
18	A bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company,	57	64					Sleeth.
19	A bill to amend an act entitled an act to increase and extend the benefits of common schools,	57	64, 216, 233, 234 235, 266	266	408	436	462	Defrees.
20	A bill to amend sections 25 and 26 of chapter 31, article 3, of the Revised Statutes of 1843, concerning the rate of interest,	57	57, 73, 78, 87, 88					Reid.
21	A bill to amend an act entitled "an act to incorporate the town of Patriot in Switzerland county and to legalize the actions of the Collector of said town,"	57	64, 77	77	138	161	179	Woods.
22								

646

23	A bill to authorize a company to construct the Manchester and Elizabethtown Turnpike,	60	60, 82, 86	87				Milliken.
24	A joint resolution on the subject of donating land to the State for the use of the Alton, Mt. Carmel and New Albany Railroad Company,	66	77, 78, 200, 201 203	66	133	161	179	Porter.
25	A bill to abolish the office of School Commissioner of the county of Morgan, . .	66	66					Delevan.
26	A bill to authorize the Auditor of Harrison county to make a deed therein named,	66	78,	87	175		235	Porter.
27	A bill to amend an act entitled an act to incorporate the Cannelton Savings Institution, approved January 18, 1850, .	67	67, 84, 102	102				Graham.
28	A bill to increase the per diem allowance of the Probate Judges of Union, Fayette, Rush and Hendricks counties, . .	67	67	67	189	229, 235	247	Reid.
29	A bill to incorporate the Ohio and Indiana Railroad Company,	67	67, 83, 147	147	147	155, 168	179	Mickle.
30	A bill to amend an act entitled an act to amend an act incorporating the Ohio and Mississippi Railroad Company,	67	67, 83		83	598	630	Ellis.
31	A bill relative to the Clark Central Plank Road Company,	67	67, 87, 102	102	389	437	463	Athon.
	A bill to change the name of Nancy Ann Kelso of Dubois county, to Nancy Ann McMahan,	68	68, 77	77	138	161	179	Goodman.

647

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
32	A bill to amend an act to incorporate the Hamilton Manufacturing Company,.....	70	70, 84, 10, 102	102	378	437, 470	483	Garver.
33	A bill to legalize the assessment of taxes for school purposes in district 7, in township 33, north of range 14 east, in DeKalb county,.....	71	78	78	138	161	179	Dawson.
34	A bill for the relief of Amaza Hazen of Ripley county,.....	74	74	74	91	134, 154	179	Knowlton.
35	A bill for the relief of the widow and heirs of Alexis Leroy deceased,.....	75	75, 164	164	615	615	632	Ellis.
36	A bill to incorporate the Cicerotown and Kirklin Plank Road Company,.....	75	75, 156	156	280	331, 345	372	Garver.
37	A bill to change the time of holding circuit courts in the 12th Judicial circuit,	75	75	75	91	134, 154	179	Mickle.
38	A bill to legalize the election of the Treasurer of Madison county,.....	76	76, 80, 81	81	281	281, 362	483	Hunt.
39	A bill to amend an act entitled "an act					470		

40	to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847, and the several acts amendatory of said act, . . .	77	77, 92	92	150	177, 181	219	Holloway.
41	A bill in relation to the Northern Indiana Railroad Company,.....	85	85, 255, 259, 307 323, 340, 373					Eddy.
42	A bill to dissolve the bands of matrimony between George Graffort and Mary Ann Graffort,.....	85	85					Graham.
43	A bill to amend an act entitled "an act to incorporate the Junction Railroad,"	86	86, 124	124	183	229, 235		Reid.
44	A bill relative to the Jeffersonville Association,.....	86	86	86	211	253, 283	307	Athon.
45	A bill to authorize the Auditor of Tippecanoe county to sell certain surplus revenue lands,.....	86	86, 123					Odell.
46	A bill declaring a misprint in an act approved January 16, 1849,.....	86	103	103	175		235	Hunt.
47	A joint resolution on the subject of lands for school purposes,.....	89	103, 195, 222	222	322	361, 409	662	Miller.
48	A bill to incorporate the Ayres University,.....	92	118, 126	126	149	177, 181 229	219	Winstandley.
49	A bill to amend the charter of the Indianapolis and Bellefontaine Railroad,...	93	118, 126	126	221	253, 283	307	McCarty.
50	A bill in relation to pleading in suits at law,.....	94	118, 194					Eddy.
	A bill to incorporate the Liberty and Miami Railroad Company,	94	118, 139, 156	156	558	626, 628	634	Reid.

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

<i>Number</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
51	A bill to increase the per diem allowance of the Probate Judge of the Probate court of Montgomery county,.....	94	94	94	175		235	Allen.
52	A bill to incorporate the Sparta and Napoleon Turnpike company,.....	94	94, 124	124	175		235	Knowlton.
53	A bill to amend sections 54 and 55, article 5, of the Revised Statutes of 1843,	115	127, 312	312	467	481	509	Henton.
54	A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana,.....	117	117	117	221	253, 283	307	Ellis.
55	A bill to incorporate the Columbia, Oswego, and Leesburgh Plank Road Company,.....	118	118, 182	182	274	362, 470	483	Day.
56	A bill to locate a state road on the line dividing Wayne and Randolph counties,	121	127, 132	132	408	463, 481	509	Holloway.
57	A bill to pay counsel in certain cases,...	122	122	122	175		235	English.

650

57	A bill to vacate the streets and alleys in the town of Fairview, Montgomery county,	125	125	125	221	283	307	Allen.
58	A bill to dissolve the bonds of matrimony between Henry Amick and Sophia Amick,	125	133					Athon.
59	A bill to amend an act to incorporate the Trustees of the Indiana Asbury University, approved Jan. 10, 1837, ..	125	126	126	149	155, 168,	179	Hamrick.
60	A bill to amend section 1 chapter 26 of the Revised Statutes of 1843, to reduce the toll for grinding and bolting grain, ..	126	126, 255,					Mickle.
61	A bill for the relief and benefit of certain turnpike companies therein named,	126	126, 196, 222,	222				Reid.
62	A bill to amend the 29th section of the act to incorporate the Fort Wayne and Columbia Plank Road Company,.....	129	129	129	221	253, 283,	308	Mickle.
63	A bill in relation to the suit of the Vincennes University against the State of Indiana,	130	146	146	261	261, 341,		Harvey.
64	A bill locating a state road on the line dividing the counties of Allen and De Kalb, and for other purposes,	131	131, 145, 146,	146	274	361, 409,	462	Dawson.
65	A bill to incorporate the Sparta and Versailles Turnpike Company,.....	132	132, 150, 151,	186	341	341, 390,	634	Knowlton.
66	A bill to incorporate the Winchester and Greenville Railroad Company,...	132	132, 260, 273,	273	454	526, 596, 626, 628, 624	627	Brugh.

651

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

652

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
67	A bill to alter the time of holding the circuit court in certain counties in the third judicial circuit,.....	139	139	139	183	235	247	Marshall.
68	A bill to legalize a certain deed of conveyance heretofore made and executed by the county Auditor of Perry county to William Elder,.....	140	156	156	419	501	509	Graham.
69	A bill relative to the Jeffersonville Railroad Company,.....	140	140, 186,					Athon.
70	A bill to incorporate the Wabash Railroad Company,.....	151	{ 151, 206, 207, 208, 223,	223	288	362, 470,	483	Hanna. Reid.
71	A joint resolution in favor of Freedom,	151	152	152	175		235	Niblack.
72	A bill in relation to the January term, A. D. 1851 of the Probate Court of Martin county,.....	152	152	152	175		235	Niblack.
73	A bill to amend an act incorporating the Ohio River and Princeton Plank Road Company,	152	152, 175, 186,	186	275	361, 409,	462	James.

653

74	A bill to reduce the pay of the members of the Convention,.....	152	152, 186,	186				Knowlton.
75	A bill to amend an act entitled "an act to incorporate the Bedford Insurance Company, approved February 8, 1836,"	154	{ 154, 164, 165, 177, 178, 179, 181, 315, 326,	326	467	481, 501,	509	Dunn.
76	A bill to amend the charter of the Madison Insurance Company,.....	154	154, 175, 176, 326,	326	467	505, 530,	562	Marshall.
77	A bill to repeal an act therein named, ..	158	158	158	190	229, 235,	247	Milliken.
78	A bill to amend an act therein named, ..	158	158, 166,	166		481		Sleeth.
79	A bill to authorize a company to construct the Manchester and Elizabeth-town turnpike,.....	160	160	160	297	297, 362, 470,	483	Milliken.
80	A bill to reorganize the Evansville Insurance companies, chartered under the several acts of February 8, 1836, and January 21, 1850.	160	160, 204, 205, 223,	223	341	341, 386, 470,	482	James.
81	A bill to repeal an act therein named in relation to the election of county Prosecutors,	164	188, 209, 210, 223,	223	467	631	632	Buckles.
82	A bill to incorporate the Muncie Horse Thief Detecting Company,.....	172	172					Buckles.
83	A bill to incorporate the Covington and Danville Plank Road Company,.....	173	173, 211, 223,	223	459	499	508	Turnan.
84	A bill to amend an act entitled "an act to incorporate the Indiana Canal Company,"	183	183, 211, 212, 260, 272,	272	378	422, 436,	463	Milliken.

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

654

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
85	A bill to amend an act entitled "an act to incorporate the Harrison Draw Bridge Company,".....	183	183, 206, 223,	223				Ellis.
86	A bill to amend an act entitled "an act changing the mode of doing county business in the county of Crawford, approved January 18, 1850,".....	183	183, 314,					Miller.
87	A bill for the Martinsville and Franklin Railroad Company.....	183	183, 260, 272,	272	364	436	462	Delevan.
88	A bill to repeal sections 8 and 9 of article 2 chapter 31 of the Revised Statutes of 1843,.....	183	183, 305,					Dunn.
89	A bill to repeal section 17 article 3rd chap. 31, of the Rev. Statutes of 1843,.....	183	183, 440, 473,					Dunn.
90	A bill to incorporate the Ohio and Wabash Plank Road Company,.....	183	184, 197, 230, 266,	266	364	436, 437,	463	James.
91	A bill making promissory notes negotiable,	184	184, 253, 254,					Marshall.

655

92	A bill to amend an act entitled "an act to regulate the per diem allowance for work done on the highways in the county of Adams and other counties therein named, approved January 17, 1850,".....	184	197, 222,	222	322	360, 470,	483	Mickle.
93	A bill to repeal an act therein named,.....	184	184, 196, 222,	222	275	361, 409,	462	Dawson.
94	A bill to amend an act entitled "an act to restrict the county commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation, approved Jan. 16, 1848,".....	184	184, 196,	196	275	331, 345,	372	Dawson.
95	A bill to amend the 12th section of chapter 56 of the Revised Statutes of 1843,.....	184	197, 222,	222	341	341, 386, 470,	493	Porter.
96	A bill to legalize the proceedings of the Alton, Mount Carmel and New Albany Railroad Company, and for other purposes,	184	197, 222,	222	322	361, 409,	462	Porter.
97	A bill to repeal an act entitled "an act to amend the Statute providing for the taking a change of venue in criminal cases, approved January 16, 1849," so far as relates to the county of DeKalb,.....	185	197, 215, 232,	232	322	331, 344,	372	Dawson.
98	A bill for the protection of persons and property on rail roads,.....	185	198, 246, 266,	266				Marshall.

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
99	A bill to amend an act entitled "an act to incorporate the Williamsburg and Centreville Turnpike Company, approved January 11, 1849,".....	185	198, 261, 272,	272	388	437, 470,	483	Holloway.
100	A bill authorizing the taking of Newspapers for the State Library,.....	185	198, 243, 245, 267, 562, 563, 589,	589				Holloway.
101	A bill to repeal an act entitled "an act declaring a certain stream therein named a public highway in Shelby county, approved January 21, 1850,".	186	198, 222,	222				Sleeth.
102	A bill in relation to deputy clerks,....	186	198					Dunn.
103	A bill to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention.....	186	198, 245, 267,	267	418	{ 461, 478, 487, 501, 552, 568,	593	Garver.
104	A bill establishing an additional place							

656

105	of holding an election in Clark county, A bill to change the time of holding Probate courts in the county of Vermillion.....	192	198, 222	222	322	361, 409	462	Athon.
106	A bill to amend an act entitled "an act to protect from waste certain lands therein mentioned, approved December 13, 1849,"	192	192	192	221	283	308	Dole.
107	A bill to authorize licensed merchants to vend clocks,.....	192	198, 222	222	484	552, 568	593	Herod.
108	A bill to constitute a school district from a portion of territory in the counties of Grant and Blackford,.....	193	224, 254, 272	272	610	629	633	Garver.
109	A bill to incorporate the Plainfield Seminary,.....	195	224, 381	381	574	624	627	Brugh.
110	A bill to change the mode of taking testimony in suits in chancery,.....	195	224, 277	277	378	436	463	Harvey.
111	A bill to incorporate the town of Covington in the county of Fountain,.....	195	224, 504					Harvey.
112	A bill in relation to crime and punishment,.....	195	195, 231, 269	269	390	499	508	Turman.
113	A bill for the relief of persons residing in incorporated towns and cities so far as relates to working on the public roads,	202	224, 305, 326	326	574	624	627	Reid.
114	A bill to amend an act to incorporate the trustees of the Hartsville Academy, approved January 12, 1850,	202	225, 277	277				Reid.
		213	225, 232	232	390	390, 463 481	509	Herod.

657

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

658

Number.	TITLE.	First Readings.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
115	A bill to change the name of the town of Nicholsonville,	213	225, 232	232	322	331, 345	372	Garver.
116	A bill to amend an act concerning negro and mulatto servants, approved February 10, 1831,	213	225					Niblack.
117	A bill to authorize the Madison and Indianapolis Railroad Company to change a part of the location of said road, ..	213	225, 471, 472	530				Marshall.
118	A bill to exempt from taxation the Marine Hospital at Evansville Indiana, ..	214	225, 232	232	322	362, 470	483	James.
119	A bill to incorporate the Goshen and Plymouth Plank Road Company,	214	225, 285, 308	308	467	526, 530	562	Defrees.
120	A bill to incorporate the Commercial Railroad Company,	214	225, 286, 308	308				Berry.
121	A bill in relation to the jurisdiction of Justice of the Peace,	214	225, 231, 253	272	322	362, 470	483	Dunn.
122	A bill to extend further time to borrowers of trust funds,	214	226, 232	232		589, 605		Knowlton.

659

123	A bill to incorporate the New Trenton and Southgate Bridge and Road Company,	214	226, 298, 308	308	467	505, 530	562	Berry.
124	A bill to amend the act incorporating the Brookville and Connorsville Turnpike Company,	214	226, 286, 308	308	467	505, 530	562	Berry.
125	A bill to amend an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849,	214	226, 232	232	322	361, 409	483	Athon.
126	A bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved January 21, 1850,	214	(226, 307, 323 337, 340, 364 365, 366)	337	484	545, 558	593	Sleeth.
127	A bill to amend chapter 4 of the Revised States of 1843,	214	226, 232	232	484	558, 595	526	Athon.
128	A bill to amend an act entitled an act to incorporate the Warren County Canal Company,	214	226					Montgomery.
129	A bill for the construction of a sewer at the State Prison,	218	236, 267	267	390	390, 436	463	Athon.
130	A bill declaring Mill creek a public highway,	218	236, 267	267	364	436	463	Delevan.
131	A bill to incorporate the New Albany Hotel Company,	218	236, 267	267	364	386, 470	483	Winstandley.
132	A bill for the relief of the administrator of the estate of Alfred Munson late of St. Joseph county, deceased,	218	218, 236, 320	320	364	386, 470	483	Eddy.

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

660

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
133	A bill to incorporate the Sandusky, Lafayette and Springfield Railroad Company,.....	220	220, 517					Montgomery.
134	A bill for the relief of John Fryberger,.....	220	236					Garver.
135	A bill to amend section 2, of an act entitled an act to amend the laws relating to the execution of deeds by order of the Probate Court, approved January 15, 1849,.....	220	232, 237, 319 [337]	337	574	624	626	Niblack.
136	A bill for the relief of Ann Blythestone,.....	221	221, 357, 358, 381	381	467	470, 505	262	Mickle.
137	A bill to relocate a State road in DeKalb county,.....	231	268, 287, 308	308	467	505, 530	262	Dawson.
138	A bill making an appropriation for completing engine house at the State Prison,.....	231	268, 405, 406, 407					Athon.
139	A bill to legalize the acts of the late Treasurer of Elkhart county and for other purposes,.....	231	268	268	364	437, 470	483	Defrees.

661

140	A bill for the benefit of the Auditor for the county of Ripley,.....	233	268, 272	272	418			Knowlton.
141	A bill establishing a State road in the counties of Orange and Crawford,.....	240	240, 277, 289	289	378	437	483	Miller.
142	A bill to change the time of holding the February term of the Probate Court of Elkhart county for the year 1851,.....	240	240	240	275	331, 345	372	Defrees.
143	A bill to incorporate a Gas Light Company in the city of Madison,.....	241	241, 286, 308	308	619	630, 631	632	Marshall.
144	A bill to revive and amend the Connersville and Brownsville Turnpike Company,.....	241	241, 284, 308	308	467	489, 491		Reid.
145	A bill to vacate a portion of a certain State road,.....	241	241, 268, 272	272	378	436	463	Odell.
146	A joint resolution on the subject of the sale of the Northern Division of the Central Canal,.....	241	241, 356, 384	384	467	489, 491	509	English.
147	A joint resolution for the benefit of the Lessee of the State Prison,.....	242	269, 330, 367	381				English.
148	A joint resolution in relation to the pay of Austin H. Brown, Printer to the Constitutional Convention of this State,.....	243	368, 371, 372 373, 381	454	502	504	509	Niblack.
149	A bill for the encouragement of agriculture,.....	255	269, 379, 454	292	597	597, 630	632	Holloway.
150	A bill providing for the location of a State road from Troy in Perry county to Spencer in Owen county,.....	261	273, 289, 292 (274, 275, 289 429, 460, 546 552)	552	615	631	632	Niblack.

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
151	A bill to incorporate the town of New Winchester, in Hendricks county,....	263	274	274	378	436	463	Harvey.
152	A bill defining the duties of Auditor and Treasurer of the counties of Noble and DeKalb, and for other purposes,....	263	274, 289, 290, 291, 292, 332,	332	502	552, 568,	593	Dawson.
153	A bill to incorporate the Evansville Hotel Company,.....	265	265, 306, 326,	326	467	505, 530,	153	James.
154	A bill authorizing county auditors to administer oaths in certain cases therein specified,.....	265	265, 272,	272	599	630, 631,	632	Adams.
155	A bill to amend an act to incorporate the Wayne County Turnpike Company, approved December 5, 1848,.....	265	265, 298, 308,	308	467	545, 558,	593	Holloway.
156	A bill to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbott,.....	265	265	265	364	437	483	Turman.
157	A bill to consolidate and publish in one act the several acts incorporating the							

662

158	city of Lawrenceburg, and to revise and amend the same,.....	265	265, 329, 230,	230	574	630, 631,	632	Milliken.
159	A bill to prevent clerks and sheriffs from purchasing judgments and decrees in the courts in which they act as clerk and sheriff,.....	265	265, 320, 321, 337	337	502	543, 558,	593	Logan.
160	A bill to authorize the township trustees of Lawrenceburg township, Dearborn county, to assess and collect a free bridge tax in said township,.....	265	266, 272, 279,	279	493	493, 545, 626, 628,	634	Reid.
161	A bill to incorporate the Anderson, Alexandrian and Jonesborough Plank Road Company,.....	266	266, 308,	308	484		626	Hunt.
162	A bill to incorporate subordinate Lodges of the Independent Order of Odd Fellows,.....	266	266, 330, 373,	373	598	624	627	Marshall.
163	A bill to change the February term of the Hamilton Probate Court,.....	266	266	266	322	362, 470,	483	Garver.
	A bill to repeal an act entitled an act to require certain acts to be published in some newspaper at Indianapolis, and for other purposes, approved January 20, 1846,.....	266	266	266				Cravens.
164	A bill to incorporate the Indiana Fire and Marine Insurance Company,.....	270	270, 285, 388, 385, 386,	386	574	624	626	McCarty.
165	A bill to establish and legalize the name of Mary Jacoby, and for other purposes,.....	271	271, 292,	292	378			Day.

663

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

664

<i>Number.</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
166	A bill to incorporate the Indiana Monumental Association,.....	271	271, 361, 382, 526	382		526, 532,		Athon.
167	A bill for the relief of John J. Cummins,.....	271	271, 394,					Athon.
168	A bill to incorporate the New Albany and Vincennes Plank Road Company,.....	276	276					Niblack.
169	A bill to annex the town of Bellville in the county of Posey, to the town of Evansville,.....	276	276	276	322	361, 409,	462	James.
170	A bill to amend an act entitled an act to incorporate the Crawfordsville and Wabash Railroad Company, approved Jan. 19, 1846, and an act amendatory thereto,.....	276	276, 233, 313	233	408	436, 589,	463	Allen.
171	A bill to legalize the proceedings of a certain Road Company,.....	282	282	282	304	315	372	Graham.
172	A bill to apportion Senators and Representatives for the next five years,....	288	288, 317, 324, 325, 326, 369, 370, 371, 382, 383	382	591	450, 596, 629,	633	Milliken.

665

173	A bill to provide for the election of Justice of the Peace in West Franklin, in Posey county,.....	288	288	288	364	437, 470,	483	James.
174	A bill relative to the Western Plank Road Company,.....	288	310, 359, 383,	383	574		632	Odell.
175	A bill to amend an act entitled an act to incorporate the Lafayette Plank Road Company, approved Jan. 3, 1849,....	288	310, 326,	326	467	545, 558,	594	Odell.
176	A bill declaring certain laws in force in the counties of DeKalb, Noble and Steuben,.....	288	288, 309,	309	467	552, 568,	593	Dawson.
177	A bill authorizing the Western Plank Road Company to issue and sell bonds,.....	288	310, 326,	327	596	629	632	Odell.
178	A bill to prevent the consolidation of indictments in certain cases in Dearborn county,.....	289	211, 326,	326	467	558, 595,	626	Milliken.
179	A bill in relation to a certain road and street therein named,.....	289	289, 314,	314	408	463, 481,	509	Eddy.
180	A bill to amend an act entitled an act to incorporate the Lake Michigan, Locksport and Ohio Railroad Company,.....	289	289, 449,					Garver.
181	A bill conferring additional powers upon the Lawrenceburg and Upper Mississippi Railroad Company,.....	289	289, 628,					Milliken.
182	A bill to organize a court of Common Pleas in the county of Jefferson,....	289	289, 320,	320	597	597, 629,	634	Marshall.
183	A bill declaring a part of Poison creek in Perry county a public highway,....	298	298, 309,	309	468	505, 530,	562	Graham.

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
184	A bill to incorporate the Belleville Branch Railroad Company,.....	312	312	312	502	558	593	Harvey.
185	A bill to locate a state road from Doverhill in Martin county, to Bloomington in Monroe county,.....	313	327, 337,	337	468	543, 558,	594	Niblack.
186	A joint resolution in regard to the World's Fair,.....	315	316	316	468	545, 558,	593	Holloway.
187	A bill relative to the Borough of Vincennes,.....	316	316	316	378	450, 481, 545	509	Ellis.
188	A bill to amend an act entitled an act to incorporate the Moorshill and Aurora Turnpike Company, approved Feb. 15, 1848,.....	316	316, 334, 335,	335	478	478, 558,	594	Knowlton.
189	A bill for the relief of Barbara Elder,.....	316	316, 319, 337,	337	502	543, 552, 568	594	Reid.
190	A bill to amend the several acts in regard to lands mortgaged to the different trust funds in this State,.....	316	316, 443,					Brugh.

666

191	A bill to amend an act entitled an act to incorporate the town of Clinton in Vermillion county, approved February 14, 1848,.....	316	316	316	468	545, 558,	593	Dole.
192	A bill transferring the duties of agent of Surplus Revenue fund of Scott county, to the Auditor of said county,.....	317	317	317	364	481	509	English.
193	A bill to affix a tax on the Museum in Lafayette,.....	317	317, 326,	326	468	545, 558,	594	Odell.
194	A bill to legalize an order for the publication of the delinquent list for 1850, in DeKalb county,.....	317	317	317	468	552, 568,	594	Dawson.
195	A bill in relation to streets and alleys in the town of Lexington, Scott county,.....	317	317	317	468	545, 558,	594	English.
196	A bill to amend an act entitled an act to incorporate the West Delphi Bridge Company,.....	317	317	317	364	436	462	Kinnard.
197	A bill to repeal an act therein named,.....	317	317, 337,	337	502	595, 597,	462	Athon.
198	A bill to incorporate the town of Pendleton, in Madison county,.....	318	318	318	364		462	Hunt.
199	A bill to amend an act entitled an act to establish a certain state road therein named, approved Feb. 11, 1848,.....	335	335	335	378	436	633	Garver.
200	A bill to amend the charter of the Madison and Brownstown Turnpike Company,.....	335	335	335				Marshall.
201	A bill authorizing a subscription for the Indiana Gazeteer,.....	335	336, 376,					Ellis.

667

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
202	A bill for the benefit of the Mt. Vernon and New Harmony Plank Road Company,	336	336, 395	395	492	492, 629	633	James.
203	A bill to appropriate money to the government of Liberia in Africa, to purchase territory for the use and benefit of the colored people of Indiana,	336	336, 586					Winstandley.
204	A bill to amend sections 148 and 149 of chapter 5 of article 13 of the Revised Statutes of 1843,	336	387					Sleeth.
205	A bill to change the name of Levi Gear to that of Levi Frash,	336	336	336	502	545, 558	594	Brugh.
206	A bill to amend an act entitled an act to amend the 15th chapter of the Revised Statutes, approved January 26, 1847, so far as relates to the county of Shelby.	336	399	399	574	626, 628	632	Sleeth.
207	A bill to amend article 5 of chapter 48 of the Revised Statutes of 1843, in relation to the writ of ad quod damnum,	336	336, 438, 533, 264	264	611	629	633	Sleeth.

208	A bill to incorporate the Danville and White Lick Plank Road Company, . . .	336	336	336	502	589, 605	626	Harvey.
209	A bill for the relief of Hezekiah A. Sutton of Jackson county,	336	336	336	468	545, 558	593	English.
210	A bill amendatory of the law of evidence,	337	337, 440					Graham.
211	A bill for the relief of Michael Riley, late Superintendent of the New Albany and Vincennes Turnpike Road,	357	388, 488					Niblack.
212	A bill for the relief of David Nevitt of Dearborn county,	358	359	359				Milliken.
213	A bill to change the name of Ann Able of Martin county to Ann Henderson, .	363	363	363	408	436	462	Niblack.
214	A bill in relation to the County Surveyor of Putnam county,	363	363	363	502	545, 558	593	Hamrick.
215	A bill in relation to the Danville and Claysville Plank Road Company, . . .	363	363	363	558	624	626	Harvey.
216	A bill to more effectually prevent the sale of spirituous liquors,	377	415, 416, 444, 588					Holloway.
217	A bill in relation to the Northern Indiana Railroad Company,	379	380	380		469, 481		Harvey.
218	A bill to legalize the sale of lands and town lots for taxes in Spencer county, on the first Monday of January 1851,	380	416	416	502	558	593	Graham.
219	A bill to amend the general road law so far as the county of Putnam is concerned,	380	380	380	502	558, 219	633	Hamrick.

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
220	A bill to authorize the extension of the Knightstown and Shelbyville Railroad,	380	380, 505	505	598	606, 628 629	633	Evans.
221	A bill to amend the charter of the town of Bloomington in the county of Monroe,	380	380, 401, 402	402	468	545, 558	594	Adams.
222	A bill for the relief of John H. Cutter surviving partner of B. G. Cutter & Company,	394	456, 457	457	572		634	Athon.
223	A bill to authorize certain school districts in Adams county to draw their proportion of the school fund,	401	457	457	599	628, 630 631	632	Mickle.
224	A bill for the relief of E. W. H. Ellis and John S. Spann, assignees of Jacob P. Chapman,	402	457					Holloway.
225	A bill to change the name of Howard Allen to Howard Werts,	403	457, 473	473	502	545, 558	594	Defrees.

670

226	A bill to locate a State road in the counties of Adams and Allen,	403	403	403	468	546, 558	594	Mickle.
227	A bill to authorize William M. Millen, administrator of the estate of James K. Hemphill to make a deed to John Vawter,	404	404	404	540	[628 540, 626	634	Adams.
228	A bill to incorporate the Peru Hotel Company,	404	404, 446	446	484	558	594	Henton.
229	A bill to amend an act entitled an act to incorporate the Centreville and Abington Turnpike company,	404	404	404	574	629	633	Reid.
230	A bill to amend an act entitled an act, approved 16th January, 1850, in relation to the distribution of the laws of this State,	404	457, 575					Reid.
231	A bill to vacate a part of certain streets therein named,	404	404	404	574	629	633	Logan. Goodman.
232	A bill to amend the common school law,	404	404, 444, 473	473				Eddy.
233	A bill in relation to the treatment of the Insane,	404	404					Marshall.
234	A bill to amend an act entitled an act to incorporate the Lake Michigan, Logansport and Ohio Railroad Company,	405	405, 447					
235	A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846,	405	405, 515	515				Holloway.

671

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

672

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
236	A bill to amend an act entitled an act to incorporate the Knightstown and Shelbyville Railroad Company,	405	405	405	574	236	633	Logan.
237	A bill to incorporate the La Fayette, Michigan City and Chicago Railroad Company,	405	457, 628					Montgomery.
238	A bill to authorize the circuit courts to certify certain chancery causes to the supreme court,	405	405, 438	438				Buckles.
239	A bill to authorize the voters of Jackson township in the county of Blackford to vote at _____ in said county,	406	406	406	570	624	627	Brugh.
240	A bill to incorporate the town of Bluffton, Wells county, Indiana,	406	406	406	468	546	594	Mickle.
241	A bill to authorize the construction of aqueducts under public highways,	406	406	406	570	624	627	Montgomery.

673

242	A bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company,	406	406, 519, 530,	530	570	624	627	Logan.
243	A bill to amend an act to incorporate the Decatur, Portland and Winchester Plank Road Company,	407	407, 550,	550	610	629	632	Mickle.
244	A bill to tax litigation, and to appropriate the same to the support of the judiciary,	407	407, 578,					Mickle.
245	A bill to suppress the sale of intoxicating liquors in Jefferson township, in the county of Switzerland,	415	415	415				Woods.
246	A bill to repeal a portion of a certain act therein named,	423	423					Hanna.
247	A bill for the relief of Michael Granman Sr., of Daviess county,	423	423, 441,	441	610	628, 629,	633	Niblack.
248	A bill to amend an act entitled an act to incorporate the Indianapolis & Brownsburgh Plank Company, approved Jan. 18, 1850,	428	428	428	570	624	627	Harvey.
249	A bill relative to vending spirituous liquors in Green township, Hancock county,	428	428	428	610	629	633	Hunt.
250	A bill in relation to attorneys prosecuting the Pleas of the State,	430	430, 468,					Cravens.

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

674

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
251	A bill to amend an act incorporating the Wabash Manual Labor College and Teachers' Seminary, approved January 15, 1834,.....	430	430, 470,	470	502	508	562	Allen.
252	A bill to amend an act entitled an act to locate a state road from Crawfordsville in Montgomery county, to Concord in Tippecanoe county, approved January 21, 1850,.....	430	430	430	484	545, 558,	594	Allen.
253	A bill to legalize the survey and location of the Vistula state road in Elkhart county,.....	430	430	430	573	624	626	Defrees.
254	A bill to incorporate the Aurora and Hartford Turnpike Company,.....	430	430, 446, 473,	473	599	626, 628, 631	634	Milliken.
255	A bill to incorporate the Liberty and Centreville Railroad Company,.....	431	431, 519, 530,	530				Reid.
256	A bill in relation to bills of exceptions,...	435	435, 438,	438	558	624	626	Dunn.

675

257	A bill fixing the per diem pay of members of the General Assembly,.....	452	452	452	570	626, 628,	632	Herod.
258	A joint resolution authorizing the Governor to transfer to Martin R. Green all title papers for the Georgia lands,...	452	452, 595, 595,	452				Woods.
259	A bill for the benefit of the Edinburgh and Western Plank Road Company,...	452	452	452	573	624	626	Hardin.
260	A bill to incorporate the Columbus Plank Road Company,.....	453	453, 460,	460	502	552, 568,	594	Herod.
261	A bill amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company,.....	453	453, 459, 473,	473	473	628	632	Niblack.
262	A bill to legalize certain acts of county auditors,.....	453	453	453	611	631	632	Harvey.
263	A bill to amend section 40 part 3 of the Revised Statutes of 1843,.....	453	453, 576,					Montgomery.
264	A bill for the relief of Daniel Stowell of St. Joseph county,.....	473	473, 512,	512	574	624	626	Eddy.
265	A bill to incorporate the Central Canal Manufacturing Hydraulic and Water Works Company,.....	479	479, 506, 507, 543, 544, 545,	545	596	596, 626, 628	634	Ellis.
266	A joint resolution in relation to the interest of the State in the Madison and Indianapolis Railroad,.....	479	479, 485, 530,	531				Ellis.
267	A bill in relation to the sale of spirituous liquors in Jefferson township in Wayne county,	480	480, 481,	481	573	629	463	Holloway.

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>	<i>Approved.</i>	<i>By whom Introduced.</i>
268	A bill to exempt guardians from the payment of clerks' fees in certain cases,...	486	486	486	574	630, 631,	632	Harvey.
269	A bill making additional appropriations for the year 1851 upon the New Albany and Vincennes Turnpike road,....	486	486, 560, 595,					Cravens.
270	A bill to authorize the commissioners of Ohio county to collect tolls on a certain bridge therein named,.....	490	490	490	524	589, 605,	626	Woods.
271	A bill to amend an act entitled an act to incorporate the city of Richmond, Wayne county, Indiana, approved Feb. 24, 1840,.....	490	490	490	599	629	633	Holloway.
272	A joint resolution relative to the Agent of State,.....	490	490, 513,					Odell.
273	A bill in relation to state roads in Johnson county,.....	490	490	490	524	624	627	Hardin.
274	A bill in relation to township elections							

676

275	where there is more than one precinct in a township,.....	290	290, 551,	551	574	631	632	Niblack.
276	A bill to prevent some of the evil effects of retailing spirituous liquors,.....	498	533					Evans.
277	A bill to locate a state road in Warren and Fountain counties,.....	498	498	498	574	629	633	Turman.
278	A bill in relation to the sale of personal and real estate by guardians,.....	498	498, 577,					Turman.
279	A bill to incorporate the Clinton Draw Bridge Company,.....	498	499, 507,	507	573	624	634	Dole.
280	A bill for the benefit of the State Agent,.....	513	513, 522,	522	573	624	627	Odell.
	A bill authorizing the board of commissioners of Martin county to order a vote to be taken in a certain case relating to the seat of justice of said county,.....							
281	A bill to re-locate the seat of justice of Fountain county,.....	514	514	514	573	629	632	Niblack.
282	A bill to provide for the payment of the debts of the Hagerstown Canal Company,.....	515	515	515	599	630, 631,	632	Turman.
283	A bill to amend an act entitled an act to incorporate the Richmond and Newport Turnpike Company,.....	525	525	525	611	624	633	Holloway.
284	A bill to give additional time to the Hancock circuit court,.....	527	527	527	573	624	627	Holloway.
285	A bill to incorporate the Widows' and Orphans' Asylum of Indianapolis,....	527	527	527	597	624	633	Sleeth. McCarty.

677

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
286	A bill to incorporate the Logansport and Royal Central Plank Road Company.	528	528					Walker.
287	A bill to incorporate the Trustees of the Indianapolis Female College,.....	528	528	528	573	624		McCarty.
288	A bill to authorize the erection of a mill dam across the Wabash river, in Cass county, Indiana,.....	528	528, 580,	580	599		633	Walker.
289	A bill in relation to common school examiners' and teachers' licenses,.....	528	528, 586,	586				Turman.
290	A bill to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad Company,.....	528	528	528	611	626, 628,	634	Odell.
291	A bill for the protection of an orphan,...	529	529	529	573	624	627	Day.
292	A bill for the relief of the estate of John Riley, late of Martin county, deceased,	545	545	545	611	629	632	Niblack.
293	A bill changing the time of holding Probate courts in Grant county,.....	546	546	546	573	624	626	Buckles.

678

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.	By whom Introduced.
294	A bill to incorporate the Bedford Central Plank Road Company,.....	548	548	548	575	624	627	Dunn.
295	A bill to invest the Michigan Road fund,	548	548					Marshall.
296	A bill relative to the State House roof,...	551	551	551				Hamrick.
297	A bill to amend the practice in Transitory actions,.....	559	559	559				Harvey.
298	A bill to incorporate the Patriot and Allensville Turnpike Company,.....	559	559	559	575	629	633	Woods.
299	A bill to authorize the removal of drift and obstructions from Little River in Allen and Huntington counties,....	559	559	559	575	629	633	Mickle.
300	A bill to incorporate the Vincennes and Orleans Plank Road Company,.....	559	559, 585, 586	586	600	630, 631	632	Niblack.
301	A bill to establish the per diem allowance of the General Assembly,.....	559	559	559				Holloway.
302	A bill to incorporate the Covington, Newton and Lafayette Plank Road Company,.....	559	559, 582	582	611	626, 628	632	Turman.
303	A bill in relation to the leveeing and draining the land in the lower prairie, below Vincennes in Knox county,...	580	580	580	610	629	633	Ellis.

679

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.

680

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
1	A bill to enable Thomas G. Alvord to file his bill in the Laporte Circuit Court.....	49	49	50	50	68
2	A bill to change the time of holding courts in the 8th Judicial Circuit,.....	34	34	51, 52	52	66, 155
3	A bill for the relief of John Henry Lewis Gerke, and Frederick Myers,.....	59	60	60, 124	124	180
4	A bill to authorize the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and secure their re-payment by mortgaging the property of said company,.....	50	50	50, 54, 55, 109	55	71
5	A bill to incorporate the town of Vernon in Jennings county,.....	104	105	105	105	180
6	A bill in relation to the assessment and collection of a specific road tax in Deer Creek township in Cass county,.....	65	65	78, 87	87	121

681

7	A bill for the relief of the inhabitants of Congressional township 25, north of range 2 east, in Cass county,.....	65	65	78, 87	87	121
8	A bill to provide for electing Supervisors of road districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, Lagrange, Tipton, Clinton and Harrison,.....	227	227	237, 263, 264, 272	272	387
10	A bill to authorize the appointment of a guardian of the person and estate of the person therein named and for other purposes,.....	50	50	50		
11	A bill requiring the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named,.....	104	105	118, 119, 319, 337	337	436
12	A bill to amend section 14, chapter 56, of the Revised Statutes of 1843, authorizing coroners to pay the expenses of inquest and burial,.....	296	296	311, 443, 474	474	
13	A bill to incorporate the Bluffton, Camden and Winchester Plank Road Company,.....	191	191	199, 230, 267	267	344
14	A bill defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton Sullivan, Noble, Martin, Washington, Marshall, Fulton, Starke, Clinton, Scott, Johnson and Randolph counties,.....	227	227	237, 263, 272	272	344, 387
15	A bill to incorporate the Laporte Male and Female Seminary,.....	278	279	292, 309	309	436, 523
16	A bill to legalize the election of Samuel Geissinger to the office of Treasurer of Elkhart county,...	60	60	60	60	97
17	A bill to repeal an act therein named,.....	104	105	119, 203, 224	224	298

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
18	A bill to amend an act entitled an act fixing the salary of the Auditor of the county of Owen,	104	105	119, 126, 197, 287	287	387, 436
19	A bill to change the name of Melissa Jane Gillaspie to that of Melissa Jane Blair,	60	60	60, 64	64	122
20	A bill to abolish the office of School Commissioner and County Agent in Brown county,	127	128	128, 130, 146	146	180
21	A bill to repeal an act giving further time to Assessors, approved January 15, 1844, and all laws contravening the provisions of section 28, of chapter 12, of the Revised Statutes,	65	65	82, 103	103	180
22	A bill to locate a State road in the counties of Kosciusko and Wabash,	104	105	119, 126	126	180
23	A bill to amend an act authorizing the Commissioners of Fountain county to vacate a certain street in the town of Rob Roy,	104	105	119, 126	126	180
24	A bill to amend the charter of the Evansville and Illinois Railroad Company,	161	161	161, 208, 218, 321, 337, 338, 360	360	419, 465, 501

682

25	A bill to open an alley in the town of Perrysville in the county of Vermillion,	104	105	119, 126	126	180
26	A bill to revive the 61st section of an act entitled "an act to establish certain State roads therein named and for other purposes," approved February 18, 1839,	104	105	119, 127	127	180
27	A bill to repeal an act entitled an act relative to overseers of the poor, approved January 15, 1844, so far as relates to the county of Clay, ..	104	105	119, 127	127	180
28	A bill to revive a certain act therein named, ..	104	105	119, 127, 140	140	168
29	A bill to repeal an act therein named,	104	105	119, 127	127	500
30	A bill defining the duties of the Treasurer of Lake county,	104	105	105	105	155
31	A bill relative to the Laporte and Plymouth Plank Road Company,	279	280	292, 359	359	467
32	A bill to repeal section 148, chapter 5, Revised Statutes of 1843,	147	148	148, 196		
33	A bill to authorize County Auditors to appoint deputies,	104	105	119, 194, 222	222	299
34	A bill to extend the Lawrenceburgh and Upper Mississippi Railroad Company,	127	128	128, 139, 156	156	182, 236
36	A bill to extend the time of holding courts in the county of Tipton,	104	105	119, 139, 580, 551	551	573, 624
37	A bill authorizing the board of county commissioners of the county of Morgan to make additional allowances to the Auditor of said county, ..	104	105	105, 125, 132	132	180

683

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
38	A bill to repeal an act to restrict the Grand Jury in Franklin county in their sessions, approved January 15, 1850,.....	65	65	66, 130,	130	180
40	A bill to incorporate the Athenian Society of the Indiana University,.....	127	128	128, 151,	151	236
41	A bill to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a tract of land in said county,.....	128	128	133, 146,	146	168
42	A bill to legalize the election of the commissioners of the county of Owen,.....	128	128	128, 163, 187,	187	236
45	A bill to amend section one hundred, chapter twelve of the Revised Statutes of 1843,.....	342	342	388, 439, 587,		
47	A bill relative to the election and appointment of constables,.....	227	227	237, 321,		
50	A bill to repeal an act entitled an act to incorporate the Lagrange Phalanx, approved January 13, 1845,.....	134	134	134, 194, 223,	223	299

684

52	A bill to amend an act regulating the jurisdiction of Justices of the Peace in the county of Dearborn,.....	190	191	199, 211, 224,	224	299
53	A bill to incorporate the Peru and Andersonstown Plank Road Company,.....	191	191	199, 231, 238, 268,	268	386
54	A bill to further amend an act entitled an act to incorporate the Michigan Road Company, approved January 13, 1845, and for other purposes,.....	188	189	199, 261, 269,	269	282
55	A bill to amend an act to exempt from taxation for corporation purposes, certain lands within the present limits of the city of Lawrenceburgh, passed and approved 20th January, 1846,.....	128	128	128, 217, 232,	232	299
56	A bill to authorize the sale of school land in Perry county,.....	128	128	133, 149,	149	163, 182, 236
57	A bill directing the Auditor of State to pay to the Treasurer of Ripley county certain funds therein named,.....	104	105	105, 196,		
58	A bill to amend an act to exempt from taxation for corporation purposes, certain lands within the present limits of the city of Lawrenceburgh, passed and approved 20th January, 1846,.....	227	227	237, 285, 408,	285	408, 482
60	A bill relative to Plank Roads,.....	278	279	292, 312, 326,	326	436
61	A bill to amend an act entitled an act relative to the leveeing of the Wabash river on Shaker Prairie, approved Jan. 14, 1846, and to repeal an act amendatory thereto, approved January 21, 1850,.....					

685

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Received from House.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>
62	A bill to abolish the office of Superintendent of the work on the State Prison, and for other purposes,	147	148	148, 194, 415, 454,	454	
63	A bill relative to the purchase of books made by the Governor for the use of the convicts of the State Prison, and for other purposes,	134	134	146, 156,	156	275
64	A bill to enable the inhabitants of school district No. 8, in congressional township No. 36, north of range three west, in Laporte county, to levy a tax sufficient to build a school house,	147	148	157, 187,	187	275
65	A joint resolution on the subject of appropriating money for the erection of a public building, ..	278	279	292, 498,	498	
66	A bill for the benefit of common schools in Brown county,	147	148	148, 155, 273, 321,	321	387, 436
67	A bill to change the name of the town of Rochester in Franklin county, Indiana, to Cedar Grove, ..	120	120	127, 132,	132	168
68	A bill to repeal an act therein named,	147	148	157, 187, 202, 224,	224	247, 305

686

69	A bill to reduce the fees of the recorder of the county of Brown,	147	148	148, 159,	159	190, 275
70	A bill to change the February and May terms of the Laporte Probate courts,	120	120	120	120	180
71	A bill to amend an act entitled an act to incorporate the Western Plank Road Company, approved Jan. 14, 1850,	147	148	148, 156,	156	159, 167, 182, 236
72	A bill to amend section 27 chap. 7 of the Revised Statutes of 1843, so far as relates to the county of Brown,	147	148	157, 187,	187	
73	A bill to amend an act entitled an act to incorporate the White County Monticello Bridge Company, approved January 15, 1850,	147	148	148, 182, 196,	196	275
74	A bill in relation to sales of land forfeited to the State by borrowers of college and other funds, ..	296	296	296, 505, 531,	531	561, 622
75	A bill to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby,	148	148	148, 151, 188	188	236
76	A bill to vacate an alley in the town of Bloomington,	416	417	417	417	
77	A bill to vacate the town of Charleston, in Huntington county,	148	148	157, 188,	188	236
78	A joint resolution in relation to the bounty land law of Congress of September 28, 1850,	227	227	237, 268,	268	344
81	A bill to amend an act entitled an act to incorporate the Fort Wayne and Bluffton Turnpike Company, approved January 16, 1849,	191	191	199, 329, 396		

687

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
82	A bill to amend section 13 of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes, . .	134	134	134, 217, 232	232	274, 305
83	A bill to provide for the return of the vote on the school law to the office of the Secretary of State,	128	128	128	128	
84	A bill to provide for the election of township assessors in the counties of Daviess and Martin, . .	615	615	615		
85	A bill for the relief of township clerks in the county of Posey,	134	134	146	146	163, 168, 236
86	A bill authorizing Allen Hamilton and Cyrus Taber to build a bridge across the Wabash river in Cass county,	134	134	146, 455	455	500
88	A bill to amend sections 302, 303 and 304 of article 13, chap. 17, Revised Statutes of 1843, Also, section 2 of chap. 61, on pages 1030, 1031 and 1032, of Revised Statutes of 1843, and for other purposes,	278	279	292, 320	338	436

688

89	A bill to authorize John Warren to file a bill in chancery in the Tipton circuit court,	606	606	606	606	625
90	A bill to enable the qualified voters of school district No. 7, in town 36, range 3 west, in LaPorte county, to levy a tax in said district for the purpose of building a school house,	134	134	147, 217, 233,		305
91	A bill to correct a misprint and supply an omission in an act entitled an act directing the Secretary of State to make a patent to James Hensley for certain Wabash and Erie Canal lands, approved January 21, 1850,	128	128	133, 146,	146	168
92	A joint resolution giving the right of purchase to the United States for a site for the erection of a Marine Hospital at Evansville, Indiana,	128	129	129, 203, 204,	204	275
94	A bill in relation to the service of writs of summons in actions at law and subpoenas in chancery,	184	189	199, 216,		
95	A bill authorizing the location of a state road from Hartford in Blackford county, through New Cumberland in Grant county, to Kokomo in Howard county,	190	191	199, 240, 268,	268	344
97	A bill relative to the practice of the law,	227	227	237, 338,	338	436
99	A bill to extend the provisions of the 65th section of chapter 58 of the Revised Statutes of 1843, so far as to embrace within its provisions all persons entitled to pension bounty land, extra pay, or arrears, and for other purposes,	188	189	198, 216, 333, 384,		

689

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

690

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
100	A bill requiring the Supervisors to settle with the Township Trustees in the county of Wells, . . .	161	161	161, 167, 188	188	
101	A bill to amend an act entitled an act to incorporate certain turnpike companies therein named, approved Jan. 29, 1839, . . .	161	161	188, 196	196	275
102	A bill to locate a State road on the line dividing Bartholomew and Decatur counties, . . .	189	189	199, 223	223	
103	A preamble and joint resolution in relation to the Three Per Cent. Fund, . . .	228	228	237		
104	A bill to amend an act entitled an act changing the mode of doing business in the counties of Crawford, Dubois, and Perry, and for other purposes, . . .	278	279	292	292	344
106	A bill to amend an act entitled an act to incorporate the Greensburgh and Brookville Turnpike Company, approved January 15, 1849, . . .	190	191	109, 224, 284, 309	309	
107	A bill relative to Prosecuting Attorneys, . . .	279	279	279, 384, 401, 455	455	

691

108	A bill for the relief of the Recorder of Franklin county, . . .	191	191	199, 233, 273	273	344, 386
109	A bill to vacate a part of Water street, in Williamsport, in the county of Warren, State of Indiana, . . .	189	189	200	200	275
110	A bill to amend article 4, of chapter 45, of the Revised Statutes, of 1843, on the subject of partition, . . .	534	535	535, 575, 576		
111	A bill amendatory of the act incorporating the townships of Dearborn county, so as to authorize the Board of County Commissioners of said county to establish additional precincts if they deem it expedient, . . .	228	228	237, 238, 268	268	344
113	A bill to repeal an act entitled an act to amend the road law in Jefferson county, . . .	191	191	200, 223	223	344
116	A bill extending the time of holding the Probate Court in the county of Carroll, . . .	161	161	161	161	236
117	A bill to reduce the fees of the Recorder of Greene county, . . .	227	227	238		
119	A joint preamble and resolution of the General Assembly of the State of Indiana relative to the improvements of the falls of the Ohio River, . . .	191	191	200		
123	A bill authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate, . . .	227	227	238, 268	268	386
124	A bill to incorporate the Vanderburg Manufacturing Company, . . .	279	280	292, 395	395	

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
125	A bill to enable persons sustaining damages by the construction of the Wabash and Erie Canal to have their damages assessed without further delay, and for the more convenient service of process on the Trustees of said canal,.....	476	477	491, 556	556	624
126	A bill to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company,...	239	239	269, 359, 413	413	482
127	A bill to amend an act to incorporate the Madison County Hydraulic Manufacturing Company, approved January 15, 1849,.....	239	239	269, 286, 309	310	386
128	A bill to amend an act to declare certain water courses in the counties of Perry and Spencer public highways, approved Jan. 17, 1850,.....	239	239	269, 273	273	386
132	A bill to vacate a part of a State road leading from Harrison to Indianapolis,.....	279	280	293, 310	310	386
133	A bill to extend the Martinsville and Franklin railroad, via Spencer, in Owen county, to the Wabash and Erie canal,.....	461	461	475, 549, 550	550	561, 627

692

135	A bill to incorporate the Mulliken Mill and Junction Plank or Clay Turnpike Road Company,...	279	279	293, 424, 455	455	
136	A bill to change the names of certain persons therein named,.....	239	239	270, 273	273	
137	A bill to repeal an act entitled an act to locate a State road in the counties of Decatur, Jennings, and Bartholomew, approved Jan. 5, 1849,.....	239	239	270		
138	A bill to locate a State road in the counties of Pulaski, Starke, and Laporte,.....	239	239	270, 273	273	386
139	A bill to locate a State road in the counties of Hamilton, Tipton, and Howard,.....	239	239	270, 273, 373	373	467
140	A bill to legalize certain acts of the Henry County Turnpike Company, and for other purposes,...	239	239	270, 306, 326	326	436
141	A bill to amend an act to incorporate the Logansport and Rochester Michigan Road Company,...	416	417	417, 448	448	
142	A bill to regulate the sale of spirituous liquors in Jackson county, Indiana,.....	239	239	270, 630	630	629
144	A bill to change the time of holding the February term of the Crawford Probate Court,.....	227	228	228, 231, 268	268	283
146	A bill to incorporate the Connorsville and Milton Turnpike Company,.....	342	342	388, 424	424	
147	A bill to incorporate the Newport and Winchester Plank Road Company,.....	279	280	293, 395	395	
148	A bill to change the name of Mount Wallaston, in White county, to Norway,.....	227	227	238, 268	268	344
149	A bill to authorize Lloyd Brown and Eli Brown to erect and maintain a mill dam across White River, in Madison county,.....	239	239	270, 273	273	586

693

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

694

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
151	A bill to amend the charter of the town of Terre Haute,	416	417	458, 531	531	
152	A bill to amend an act entitled an act to incorporate the Lake Michigan, Logansport, and Ohio River Rail Road Company, enacted by the General Assembly in February, 1848,	435	435	435, 447	447	500
153	A bill for the relief of Dempsey Linton,	461	461	475	475	
155	A bill to revive and extend the provisions of an act to incorporate the town of Anderson, approved February 17, 1849,	239	239	270, 273	273	344
156	A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Rail Road Company, approved January 15, 1849, so far as relates to the county of Daviess,	279	280	293, 400, 497, 498	498	539, 619, 621
157	A bill to extend the time of the sessions of the Board of Commissioners of Wayne county,	228	228	238, 268	268	622
158	A bill to repeal an act therein named,	606	607	607	268	386
159	A bill for the relief of George Coit,	296	296	326	327	436

695

160	A bill for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana,	476	477	477, 529, 568, 569, 571	571	598, 627
161	A bill authorizing the sale of section 16, in Congressional township 24, north of range 12 east, in Jay and Blackford counties,	279	280	293, 331, 373	373	467
162	A bill in relation to the South Bend and Plymouth Plank Road Company,	279	280	293, 361, 362	362	467
163	A bill to incorporate the Pittsburgh and Crawfordsville Plank Road Company,	296	296	296, 334	334	408, 467
164	A bill relative to recording deeds in Laporte county, ..	280	280	293, 310	310	386
165	A bill to amend chapter 7, article 1, section 2, of the Revised Code,	280	280	293, 310, 437, 474	474	500, 631
166	A bill to reduce the fees of the Clerk of the Probate Court of Knox county, and to amend section 44, of chapter 39, of the Revised Statutes of 1843, as far as relates to the county of Knox, ..	296	296	311, 443		
168	A bill to authorize the Lafayette Insurance Company to increase their capital stock,	391	393	393, 424, 455	455	523
170	A bill declaring a certain county road therein named a State road,	280	280	293, 310	310	386
171	A bill to amend an act entitled an act to incorporate the Logansport and Wabash Bridge Company, approved February 7, 1835,	342	342	388, 446		
173	A bill for the relief of Andrew Morgan of Dearborn county,	280	280	293, 357, 485	485	

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

696

<i>Number.</i>	<i>TITLE.</i>	<i>Received from House.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>
174	A bill to authorize the building of a bridge across Laughery Creek, by Andrew Morgan,	493	493	493, 533	533	622
175	A bill authorizing John Heiney to build a mill dam across the Salamonina River,	296	296	311, 327	327	436
177	A bill explanatory of an act entitled an act for the relief of widows whose husbands die intestate without any heirs lineally descended from them, approved January 19, 1850,	461	462	462, 579		
179	A bill to prohibit the traffic of intoxicating liquors in the town of Columbus,	342	343	343	343	408, 467
180	A bill to repeal a certain act therein named, so far as it relates to Grant county, and to revive certain other acts,	342	343	343, 400, 455	455	
181	A bill to enable the qualified voters of district No. 6, township No. 26, range 1 west, in Carroll county, to levy a tax in said district sufficient to build a school house,	342	343	388, 413	413	523

697

182	A bill to amend an act entitled an act to incorporate the Terre Haute and Indianapolis Railroad Company, approved January 19, 1846,	392	393	393, 413	413	501
183	A bill for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county,	277	278	278	278	344
184	A bill to change the name of Shadrach Anderson to William Johnson,	280	280	293	294	344
186	A bill defining the boundary of Laporte, Porter, and Lake counties,	391	393	416, 455	455	
187	A bill to enable the citizens of Orange township, Fayette county, to elect an additional Justice of the Peace, so as to reside in the south part of said township,	416	417	417	417	501
188	A bill to repeal part of the 31st section of an act to increase and extend the benefit of common schools,	342	343	388, 444, 474	474	500, 622
190	A bill to amend article 1, chapter 25, of Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county,	420	421	421 440, 496, 514		
193	A bill to authorize the election of a county Surveyor, in Greene county,	391	393	416, 455	455	523
194	A bill to locate a State road in Allen county,	342	342	388, 413	413	
195	A bill declaring Flat Creek, in Pike and Dubois counties, a public highway,	280	280	294, 313	313	386
196	A bill declaring Hall's Creek, in Dubois county, to be a public highway,	280	280	294, 332		

698

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
198	A bill for the benefit of the Union Plank Road Company, and the Michigan and South Bend Plank Road Company in Laporte county,.....	416	417	417	417	482
200	A joint resolution on the subject of the Michigan City Harbor,	279	279	294	294	328
201	A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849, and the act declaring said act to be in force, approved January 19, 1850, so far as relates to the county of Vigo,...	280	280	294, 331	331	408, 467
202	A bill to authorize the assessment and collection of a specific tax for road purposes in the county of Wabash,	280	280	294, 310	310	386
204	A bill to incorporate the Washington and Maysville Plank Road Company in the county of Davies,	391	393	393, 425, 455	455	500
206	A bill to incorporate the town of Hope, in Bartholomew county,	280	280	294, 310	310	436

207	A bill regulating the license of traveling peddlers in the county of Dearborn,	602	603	603	603	624
208	A bill to amend an act therein named,	342	343	388, 413	413	523
209	A bill providing for the sale of the school section in Congressional township No. 28, north of range No. 4 west, lying in the county of White,	342	343	388, 414	414	501
210	A bill to enable the Board of Commissioners of Lake county to borrow money to build and finish a court house and jail,	277	278	294	294	387
211	A bill to amend an act approved Jan. 14, 1850,	342	343	388, 414	414	523
213	A bill to incorporate the Central Plank Road Company of Vanderburgh county,	342	342	388, 425, 455	455	
214	A bill extending the provisions of an act therein named to the 11th judicial circuit,	277	278	294, 377, 378	378	454, 501
215	A bill to incorporate the town of Plymouth,	342	495	343, 395	395	
216	A bill to amend an act to increase and extend the benefits of common schools,	342	343	343, 474	474	
218	A bill to amend an act entitled an act to extend the term of the Probate Court of the county of Monroe, and for other purposes, approved January 21, 1850,	278	278	278	278	345
219	A bill to incorporate the Rising Sun Hotel Company,	493	495	495, 531	531	622
221	A bill to amend an act entitled an act to incorporate the Ladies' Sigourney Library at Logansport, approved Dec. 27, 1848,	278	278	294	294	345
225	A bill to authorize Riley Linton to take a change of Venue,	342	343	389, 438		

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

700

<i>Number.</i>	<i>TITLE.</i>	<i>Received from House.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>
228	A bill for the annexation of Lamasco to Evansville,	476	477	477, 522, 531	531	
229	A bill to amend an act entitled an act to incorporate the Indianapolis and Springfield Plank Road Company, approved Jan. 19, 1850,	391	394	394, 422, 423	423	454, 523
230	A bill to repeal an act therein named,	342	343	389, 414	414	454, 501
233	A bill for the relief of the heirs of Elizabeth Batten, late of Dearborn county, Indiana, but now deceased,	391	391	416, 455	455	
234	A bill amending sections 48, 49 and 50, of chapter 29, of the Revised Statutes of 1843,	493	495	534, 576		
235	A bill to locate a State road in Cass and Howard counties,	342	343	389, 414	414	523
236	A bill to incorporate the White River Navigation Company,	391	394	394, 516, 553, 554	554	573, 624
237	A joint resolution on the compromise measures passed at the last session of Congress,	278	278	294, 295		
238	A bill to restrict the powers of the grand jury of					

701

239	Shelby, Rush, Knox, Daviess, and Martin counties,	280	280	280, 504	504	548
241	A bill to give Treasurers till the 1st of April to make settlement with the Auditor of State,	392	393	416, 455	455	523
243	A bill for the relief of Harvey Bates, of Marion county,	420	421	421, 484, 485	485	622
244	A bill to defray the expenses of the Quarter-Master General, and for other purposes,	392	410	411, 587		
244	A bill to locate a part of a State road in the county of Warrick,	296	296	296, 313	314	387, 436
245	A bill to amend the general road law, approved Jan. 16, 1846, so far as the same relates to the county of Cass,	392	410	458	458	500
246	A bill authorizing the Board of County Commissioners of Pike and Gibson counties to employ by the year a Physician to attend on the paupers of said counties,	342	343	389, 414	414	501
247	A bill to enable the qualified voters of school district Nos. 5 and 8, township 37, range 3 west, in Laporte county, to build a union school house, and for other purposes,	392	410	410	410	501, 523
248	A bill to extend the provisions of an act therein named to a school district in the county of Fayette,	296	296	311, 326	326	386
250	A bill to authorize the inhabitants of school district No. 2, in town No. 36, range 3 west, in Laporte county, to levy an additional school tax,	392	410	458	458	

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

702

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
251	A bill in relation to Supervisors of roads and highways in the county of Jackson,	343	343	389, 414	414	501
252	A bill to repeal the first 13 sections of chapter 50 of the Revised Statutes of 1843, so far as relates to Scott and Greene,	392	410	458	458	523
253	A bill to regulate the mode of doing business in the county of Wabash,	420	421	421, 487, 531	531	622
254	A bill for the sale of the public square of Evansville and for the application of the proceeds to the erection of county buildings for Vanderburgh county,	392	410	410, 456	456	
255	A bill to incorporate a fire engine company at North Madison,	342	342	389, 424, 456	456	
256	A bill to authorize a special session of the Greene Circuit Court,	343	343	343, 344		
257	A bill to amend the charter of the Central Plank Road Company,	461	461	461, 481, 482	482	575, 622

703

258	A bill to extend the powers of the Board of Commissioners of Delaware county,	420	421	421, 456	456	
259	A bill regulating the time of holding Probate Court in the county of Tipton,	420	421	421, 456	456	
260	A bill to incorporate the Newburgh and Vanderburgh Railroad Company,	392	410	410, 448	448	
261	A bill to incorporate the Kankakee Bridge Company,	431	431	431, 519	519	
263	A bill authorizing the Board of Commissioners of Howard county to cause a record to be made of a certain State road therein named,	343	343	389, 414	414	501, 576
264	A bill to amend an act entitled an act to amend an act entitled an act to incorporate the city of Fort Wayne and all acts and parts of acts amendatory thereto,	392	410	410, 46	410	482
265	A bill defining the duties of the Governor in certain cases therein named,	420	421	421, 439	477	500
266	A bill to incorporate the Central Michigan Plank Road Company,	392	410	411, 449, 477	477	
267	A bill relative to the streets and alleys in the town of Bowling Greene in Clay county,	420	421	421, 577	429	500
268	A bill to establish a Free Turnpike road,	392	411	411, 429	445	
269	A bill to incorporate the Madison Medical Society at Madison in the county of Jefferson,	392	411	411, 445	445	
270	A bill for the relief of Thomas Decimus Franklin, Sophia Whitworth, William Whall, John Whall and Robert Whall,	392	411	411, 442	442	

BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

704

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
271	A bill limiting the jurisdiction of the corporation of the town of South Bend in the county of St. Joseph,	420	421	421, 456	456	
272	A bill to define the jurisdiction of Justices of the Peace in the county of Carroll,	420	421	421	421	501
274	A bill to incorporate the Indianapolis Gas Light and Coke Company,	420	421	421, 447, 448	448	500
275	A bill to change a portion of a State road therein named in the counties of Boone and Hamilton,	392	411	458, 477	477	
276	A bill for the better improvement of highways in the counties of Carroll and Delaware,	420	421	421, 469, 491	491	524, 622
278	A bill for the relief of the Terre Haute and Richmond Railroad Company and the Indiana Central Railway Company,	461	462	462, 520, 521	522	
279	A bill to incorporate the Blountsville, Smithfield and Montpelier Plank Road Company,	420	422	422, 470, 491	491	
280	A bill to regulate the issuing of executions and fee bills in the several courts in the counties of Ma-					

705

281	rion, Dearborn and Daviess, upon which no execution has been issued for three years from the rendition thereof, and where fee bills have not been collected for three years from the termination of the suit in which the same is taxed,	392	411	458	458	484, 500
282	A bill to amend an act entitled an act relating to certain officers in the county of Dearborn, approved January 16, 1849,	420	422	422, 426,		
283	A bill granting further powers to the township of Lawrenceburgh, in the county of Dearborn, in the State of Indiana,	420	421	421, 449, 450,	450	
284	A bill to prohibit the sale of spirituous liquors in the town of Middletown, Henry county,	420	421	421	421	501, 605
285	A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company,	392	411	411, 516,		
286	A bill to incorporate the New Albany and Vincennes Plank Road Company,	420	422	422, 516, 554, 555, 556		
287	A bill to enable the Auditor of Spencer county to convey a certain tract of land therein named to John Masterson,	392	411	411	411	501
288	A bill to locate a state road from Bennettsville in Clark county, to Salem in Washington county,	476	477	477, 525, 526	526	561, 631
290	A bill to locate a state road in the counties of Montgomery and Tippecanoe,	416	417	417, 486, 531	531	561, 631
	A bill to locate a state road from Pleasant Grove in Fulton county, by way of Fulton steam mill, to Perrysburg in Miami county,	417	417	417	417	501

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

706

<i>Number.</i>	<i>TITLE.</i>	<i>Received from House.</i>	<i>First Reading.</i>	<i>Proceedings before passage.</i>	<i>Passed Senate.</i>	<i>Other Proceedings.</i>
291	A bill for defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes,.....	535	535	535, 536, 537, 538,	538	568, 631
292	A bill to regulate the mode of proceeding in suits against the White Water Valley Canal Company, for failing to build and keep up bridges at such places across said canal, as said canal crosses any state or county road or street,.....	417	417	417, 580, 590, 592,		
293	A bill to incorporate the Albion and Lisbon Turnpike Company,.....	476	477	492, 513,	513	548
294	A bill to repeal an act therein named,.....	476	477	477, 576, 410,	410	624
295	A bill to locate a state road in the counties of Crawford and Perry,.....	393	411	411, 412,	412	501
296	A bill to incorporate the Grape-vine Marsh Plank Road Company,.....	461	462	462, 517,	517	
297	A bill for the relief of the inhabitants of District No. one in Congressional township No. 1, north of range No. 1 west, in Orange county,.....	393	412	412	412	523

707

298	A bill authorizing the widow and administrator of Jonah F. Oakes, deceased, to execute certain deeds of quit claim,.....	393	412	458, 474,	474	
299	A bill to restrict the Grand Jurors of Porter and Lake counties to a limited time in their sessions, and for other purposes,.....	393	412	412	412	501
300	A bill to amend an act entitled an act requiring the supervisors of roads in Coal creek township, in Montgomery county, to keep the same in repair, and for other purposes therein contained,...	393	412	412	412	501
301	A bill to authorize the construction of a mill dam across Tippecanoe river in White county,.....	476	477	477, 502,	502	
303	A bill to incorporate the Franklin and Shelbyville Plank Road Company,.....	393	412	412, 448, 474,	475	500, 622, 629
304	A bill to incorporate the Montpelier and Matamoras Plank Road Company,.....	417	417	418, 445,	445	
305	A bill in relation to the sale of spirituous liquors in Johnson county,.....	393	412	412, 450, 475,	475	501, 624
306	A bill to amend an act entitled an act to compel non-residents to pay in a road tax equal to that paid by actual settlers in the county of Whiteley, approved January 14, 1850,.....	393	412	412, 469, 491,	491	
307	A bill for the further security of decedents' estates in Allen county,.....	420	422	422, 442,		
308	A bill to amend an act entitled an act to prohibit the sale of spirituous liquors in Adams, Fall Creek and Anderson townships in Madison county, by a less quantity than thirty gallons, approved January 17, 1849,.....	393	412	412, 456,	456	

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

708

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
309	A bill to fix the compensation of clerks of the circuit court in cases of naturalization in the 12th judicial circuit,.....	476	477	492, 531,	531	
310	A bill to repeal certain acts therein named, so far as the county of Jay is concerned,.....	393	413	413, 426,		
311	A bill to incorporate the congregation of the German Evangelical Lutheran St. Paul's Church in the city of Fort Wayne,.....	393	413	413, 427, 428,	428	500, 622,
313	A bill authorizing certain persons therein named to erect a toll bridge across the west fork of White river at or near the falls in Morgan county,....	393	413	458, 459, 475,	475	548
314	A bill to change the time of holding the circuit courts in the 10th judicial circuit,.....	478	478	478, 531,	531	
315	A bill to change the name of the Madison and Napoleon Turnpike Company,.....	420	421	421	421	501
316	A bill to authorize the Superintendent of Common Schools to publish and distribute the Common School law of 1849,.....	476	477	492		

709

317	A bill in relation to the poor in Wayne township in Allen county, Indiana,.....	420	421	421	421	501
318	A bill amending the criminal law and declaratory thereof,.....	606	607	607		
319	A bill to incorporate the Charlestown and Brownstown Plank Road Company,.....	417	417	417	417	482
320	A bill to authorize the Treasurer and Auditor of State to re-settle with George H. Dunn, late Treasurer of State, and to correct any mistakes that may be found in the former settlement of the said Dunn,.....	493	495	495, 518,	518	
321	A bill to incorporate the Wabash and Marion Plank Road Company,.....	461	462	462, 518, 531,	531	631
324	A bill to authorize the election of a supervisor of roads in Laurel township, in Franklin county,...	393	413	459, 475,	475	
325	A joint resolution in relation to Western interests,...	417	417	417		
326	A bill to change the name of Portland in Hancock county, to that of Cleveland, and to incorporate the same,.....	393	413	459, 475,	475	
327	A bill dispensing with complete records and regulating the fees of clerks in Probate courts in certain cases,.....	493	495	495, 533, 587, 588,		
330	A bill to repeal an act to regulate the retail of spirituous liquors in the county of Kosciusko,...	493	495	495, 517,	517	
331	A bill to vacate an alley in the town of Greencastle, in Putnam county,.....	420	421	421	421	482
332	A bill to prevent intemperance in Wayne township, in the county of Henry,.....	420	421	421	421	501

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

710

Number.	TITLE.	Received from House.	First Readings.	Proceedings before passage.	Passed Senate.	Other Proceedings.
333	A bill to extend the time of holding the sessions of the Board of County Commissioners of Warren county,.....	493	495	533	533	622
337	A bill to extend an act entitled an act to authorize the Sheriff of Lawrence county to serve process issued, in certain cases, to the county of Owen,.....	476	477	492, 531	531	622
338	A bill to incorporate the Wabash, Warsaw and Go-shen Plank Road Company,.....	494	495	533	533	622
339	A bill regulating the license of traveling peddlers in the county of Jackson,.....	417	418	418		
340	A bill to change the time of holding Probate Courts in the county of Jasper,.....	477	477			
342	A bill amendatory to an act entitled an act to increase and extend the benefits of common schools, approved Jan. 17, 1849,.....	417	418	418, 488, 524	524	629
343	A bill to amend the several acts now in force in relation to widows,.....	534	535	535, 577, 578		

711

344	A bill to authorize the Treasurer of Laporte county to charge a per centage on road receipts,.....	477	477	492, 532	532	629
345	A bill defining the duties of Treasurer of Morgan county,.....	417	418	418, 425, 456	456	
346	A bill to authorize the Commissioners of Wabash county to sell the Surplus Revenue bank stock,.....	607	607	607	607	624
347	A bill to authorize the draining of wetlands in Miami, Allen, Huntington, and St. Joseph counties,.....	494	495	495	495	631
349	A bill to extend the provisions of an act therein named to the county of Ripley,.....	417	417	417	417	523
350	A bill to amend an act entitled an act to incorporate the town of Peru, approved February 14, 1848,.....	461	462	462		
351	A bill for the relief of the assignees of J. & E. L. Beard,.....	541	541			
352	A bill providing for a certain road therein named,.....	494	495	495	495	
353	A bill to incorporate the town of Valparaiso, in the county of Porter,.....	435	435	435, 518	518	622
354	A bill to incorporate the town of Salem, in the county of Washington,.....	494	495	495, 609		
355	A bill to attach the south half of section 5, in township 3, in range 8 east, to the county of Scott,.....	540	541	541, 553, 563, 589	589	622
356	A bill to incorporate the Bluffton band, in Wells county,.....	431	431	431	431	
357	A bill to vacate a part of Gilmore's addition to the village of Angola, in Steuben county,.....	431	431	439	459	523
358	A bill to incorporate the Vernon Life, Trust, Trading and Manufacturing Company,.....	461	462	462, 473	473	501

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

712

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
359	A bill in relation to the county debt of Scott county and authorizing the Commissioners of said county to borrow money for certain purposes,.....	431	431	431	431	
360	A bill for the relief of lands mortgaged to the School Funds,.....	534	535	567, 589	589	625
361	A bill to amend section 24, chapter 10, of article I of the Revised Statutes of 1843, so far as the same relates to the county of Allen,.....	494	495	495, 524, 525		
362	A bill to repeal an act to amend the statute providing for the taking a change of venue in criminal cases, so far as Allen county is concerned, approved Jan. 16, 1849,.....	495	495	495, 532	532	631
363	A bill to extend the Alton and Terre Haute Railroad,.....	494	495	495, 515, 532	532	549, 547
364	A bill incorporating the Cross Plains and Madison Turnpike Company,.....	494	495	495, 550	550	573, 624
365	A bill to amend an act entitled an act to authorize the transfer of cases pending in the Probate court					

713

366	to the Circuit court as far as relates to Putnam county, approved January 16, 1849,.....	607	607	607	607	624
367	A bill to amend an act entitled an act to incorporate the Ohio and Indiana Railroad Company, approved January 15, 1851,.....	494	495	495	495	
368	A bill to repeal certain acts therein named and for other purposes in Allen county,.....	477	477	477	477	
369	A bill to amend an act entitled an act creating the Marion county court of Common Pleas,.....	431	431	431, 435	435	
370	A bill extending the provisions of an act for the benefit of the Clark County Central Plank Road Company to the Madison, Hanover, and Lexington Plank Road Company,.....	431	431	431, 520	520	
371	A bill to amend an act entitled "an act to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio and other States,".....	431	431	459	459	523
372	A bill declaring a certain name a misprint,.....	540	541	541	541	622
373	A bill providing for the election of three School Commissioners in township No. 12, north of range No. 11 east, situated in the counties of Rush and Decatur,.....	494	495	495, 533, 564	564	
	A bill to amend an act entitled an act concerning free negroes, mulattoes, servants and slaves, approved January 10, 1831,.....	540	540	540		

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

714

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
374	A bill to extend the provisions of an act to enable the qualified voters of district No. 4, in town No. 31, north of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house, approved January 21, 1850, to the several school districts in Fulton county.	461	461	475, 491	491	
375	A bill for the benefit of the Indiana Hospital for the Insane,.....	461	462	462, 489	489	
377	A joint resolution suspending the operation of a certain act therein named,.....	461	462	462, 517, 532	532	
377	A bill to authorize the formation of Gas Light Companies,.....	534	535	535, 547	547	622
379	A bill to legalize certain roads in Clinton county,.....	461	461	475	375	
380	A bill for the relief of Harmon N. Kress of Clay county,.....	461	461	475, 486	486	
381	A bill to amend an act entitled an act to incorporate the Richmond and Boston Turnpike Company, approved February 15, 1839,	461	462	462, 519	519	

715

382	A bill to extend a certain road therein named,.....	600	600	601, 611	611	629
383	A bill to incorporate the Franklin Insurance Company,	534	535	535, 552	552	573, 624
384	A bill to appraise the real estate of the State and to make the value of the same equal and uniform throughout this State,.....	494	495	495, 569, 604	605	617, 627
385	A bill providing for the election of township assessors in Rush county,.....	477	477	492, 532	532	627
386	A joint resolution directing the Librarian to allow the ladies of the Owen Testimonial committee the use of the Hall of the House of Representatives,.....	534	535	535	479	
387	A bill for the relief of John J. Cummins,.....	479	479	479	479	
388	A bill to authorize the city of Madison to borrow money,.....	534	535	535	535	622
389	A bill to incorporate the German Union Support Society of Jefferson county,.....	477	477	492	492	
391	A bill to extend the provisions of article No. 1, chapter 42, Revised Statutes of 1843,.....	600	600	600	600	631
393	A bill to repeal a Plank road law of Huntington and Whitley counties,.....	494	495	539, 564	564	631
394	A bill legalizing the sale of a school section in township eleven, north of range one east, in Morgan county,.....	494	495	495, 508	508	622
395	A bill to locate a State road in the counties of Marion and Boone,.....	494	495	495, 532	532	622
396	A bill to locate a school district in Marshall county,.....	494	495	495, 564	564	627

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
397	A bill authorizing the sale of section sixteen, in township eight, north of range 5 east, in the county of Bartholomew,.....	494	495	495	495	
399	A bill for the relief of Samuel Shiner and others, purchasers of school lands in Randolph and Delaware counties,.....	494	496	496, 546, 564	564	627
400	A bill to repeal an act entitled an act regulating the salary of Auditor of Putnam county, approved February 11, 1848,.....	494	496	496, 507, 508	508	622
401	A bill to establish additional places of holding elections in certain counties therein named,.....	494	495	539, 564	564	630
402	A bill to repeal an act entitled an act to prohibit the sale of spirituous liquors in Blue River Township, Johnson county, approved January 21, 1850,....	494	495	495, 532	532	622
403	A joint resolution for the relief of Capt. William Waldo,.....	494	495	539, 620	620	629
404	A bill amendatory of the several acts relating to the					

405	city of Logansport, approved February 17, 1839, January 13, 1845, and January 14, 1848,.....	494	495		495	561, 631
406	A bill to incorporate the Madison and Vevay Plank Road Company,.....	495	495	495, 547, 548	548	631
407	A bill to prevent attorneys doing the duties of Sheriff in Tippecanoe county,.....	495	495	539, 618	618	
408	A bill confirming the title to the Georgia Lands to Martin R. Green,.....	570	570	570, 571, 589, 590	590	
410	A bill to extend the February and October terms of the Marion Probate Court,.....	495	495	495	495	629
411	A bill repealing an act establishing additional places of holding elections in certain counties therein named, approved December 21, 1849, so far as the county of Greene is concerned,.....	495	495	495	495	
412	A bill authorizing the board doing county business, in Tipton county, to change the burial ground for the town of Tipton,.....	495	495	495	495	622
413	A bill for the relief of purchasers of school lands in the county of Lagrange,.....	540	541	541	541	631
415	A bill to amend an act therein named,.....	495	495	539	539	631
	A bill to amend an act entitled an act supplement-ary to an act to provide for the completion of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, approved January 27, 1847,.....	600	600	601		
416	A bill in reference to proceedings upon Scire Facias,.....	607	607	607		

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

718

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
417	A bill for the compensation of Treasurers for expense and trouble in the prepayment of revenue,.....	600	600	601		
418	A bill to legalize the tax sales made by the Mayor of the city of Fort Wayne, Allen county,.....	495	496	496, 508	508	548
419	A bill to amend an act to provide for the election of township Assessors and Collectors in the county of Jennings, and for other purposes, approved February 12, 1848,.....	495	495	495	495	
420	A bill regulating the expense of capturing fugitives from justice,.....	600	600	601		
421	A bill for the relief of Peter Helphinsten, a purchaser of school lands,.....	600	600	600	600	627
422	A joint resolution in relation to the papers and records appertaining to the Wabash and Erie Canal its extensions and feeders,.....	534	535	535	535	629
423	A bill to authorize the county commissioners of					

719

424	Pike county, to make an appropriation therein named,.....	534	535	567, 590	590	631
425	A bill to incorporate the Aurora Hotel Company,.....	534	535	567	567	629
426	A bill to locate a State road in the counties of Tip-ton and Howard,.....	534	535	567, 590	590	631
427	A bill to reinstate the office of County Auditor in the county of Johnson,.....	534	535	535, 551	551	624
427	A bill to amend the charter of the town of Dublin, in Wayne county,.....	534	535	535	535	
428	A bill to repeal an act entitled an act to regulate the practice of law in the Lagrange Circuit Court,.....	534	535	535	455	627
429	A bill surrendering the right of way to railroad companies across swamp lands,.....	534	535	567, 590	590	629
432	A bill to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company, approved Feb. 6, 1835, and the several acts amendatory thereof,.....	607	607	607		
433	A bill to amend the charter of the Evansville and Illinois Railroad Company,.....	534	535	535, 570	570	605, 622
434	A bill reducing the fees for taking acknowledgments of mortgages to the Trust Funds,.....	534	535	567, 590	590	625
435	A joint resolution in relation to the slave trade, ..	534	535	567	567	573, 624
436	A bill to incorporate the Orleans, Paoli and Can-nelton Railroad Company, ...	616	616			

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

720

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
437	A bill amendatory and supplementary to an act to incorporate the Mt. Sterling, Versailles and Ve-					
	vay Turnpike Road Company, approved Jan 4,	606	607	607	607	
438	1850, A bill to authorize Joseph Morrow, Silas Parks,					
	and Robert Wilson, Commissioners appointed					
	by the Grant Probate Court, to sell the real es-					
	tate of William Wallace, deceased, at private					
	sale, A bill to enable John Fravis of Laporte county, to	534	535	535	535	627
439	prosecute a suit for a divorce, A bill to amend an act entitled an act for the call	534	535	535	538	629
440	of a convention of the people of the State of In-					
	diana, to revise, amend or alter the Constitution					
	of this State, A bill for the relief of persons who have suffered	541	541	541, 542, 543, 558		631
441	by the destruction of the Justice's docket of Jo-					
	seph F. Marshall, a Justice of the Peace of Han-					

721

442	cock county, on the 24th day of December,	540	541	541	541	624
53	1850, A bill to authorize the board of commissioners of					
54	Putnam county to issue bonds, A bill to aid in collection of the Surplus Revenue	540	541	541, 554	554	573, 624
5443	in Carroll county, A bill for the benefit of James W. Edmonson of	540	541	541	541	625
444	Hancock county, A bill to vacate a certain street in the town of	540	541	541	541	622
446	Crawfordsville, A bill to incorporate the Camden and Lockport	540	541	541	541	627
449	Plank Road Company, A bill to re-locate the state road between Paoli in	600	600	600	600	
450	the county of Orange, and Troy in the county					
	of Perry, A bill to authorize the county surveyor of Miami	600	600	600	600	629
451	county to re-survey the town of Mexico in said					
	county, A bill to incorporate the Philaethean Society of	600	600	600	600	631
452	Hanover College, A bill defining the powers of Justices of the Peace	600	600	600	600	631
453	in Marion county, A bill to incorporate the town of Salem in the	600	600	600	600	625
454	county of Washington, A bill to regulate the sale of spirituous liquors in					
455	Tippecanoe county, A bill to regulate the sale of spirituous liquors in	600	600	600	600	627

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
456	A bill to amend the act entitled an act to incorporate the town of Troy in Perry county, approved Jan. 21, 1850,.....	600	600	600	600	631
457	A bill to amend an act entitled an act to restrict the Grand Juries of the counties of Porter and Lake to a limited time in their sessions, and for other purposes, approved Feb. 8, 1851,.....	600	600	600	600	631
458	A bill to authorize the printing of the reports of the Benevolent Institutions therein named,.....	602	603	603	603	624
459	A bill to raise revenue for State purposes for 1851,.....	603	603	603	603	622
460	A bill to revive an act to incorporate the Milton and Waterloo Turnpike Company,.....	602	603	603	603	624
461	A joint resolution granting the use of the State Library to Capt. Michael Fitzgibbon and John B. Dillon,.....					
464	A bill making general appropriations for the year 1851,.....	602	603	603	603	631, 624

722

465	A bill to equalize the price of the swamp lands in the State of Indiana,.....	603	603	603	603	624
466	A bill to prevent the sale of intoxicating drinks in the county of Randolph,.....	601	601	601, 602,	602	624
467	A bill legalizing certain tax sales in Madison county,.....	603	603	603		
468	A bill to amend an act to incorporate the Ohio, Indiana and Lake Michigan Railroad Company, approved January 17, 1849,.....	602	602	602	602	619
469	A joint resolution authorizing the distribution of the Journal of Debates of the late Constitutional Convention,.....	614	614	614	614	627
470	A bill to incorporate the town of Milford in Decatur county,.....	616	616	616	616	629
471	A bill to restrict the Grand Jury in the county of Marshall to a limited time in their sessions,.....	614	614	614, 615,	615	631
473	A bill supplemental to an act to provide for defraying the expenses of overflowed and swamp lands in the State of Indiana, and for other purposes, passed in February 1851,.....	614	614	614, 615,	615	627
474	A bill to amend the act providing for the election of township assessors in the counties of Greene and Hamilton, approved Jan. 1850,.....	614	614	614, 615,	615	627
477	A bill to amend an act passed January 16, 1849,.....	616	616	616, 618,	615	627
478	A bill relative to the taxation of costs in certain cases,.....	614	614	614, 615,	615	627
479	A bill relative to the practice of law in Marion county,.....	616	616	616, 617,	617	

723

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
480	A bill to amend an act entitled an act to improve the roads in certain townships in Dearborn county, approved Jan. 18, 1847,.....	614	615	615	615	625 [627
481	A bill making specific appropriations for 1851,....	611	611	612, 613,	613	618, 621, 623

B.

BLIND ASYLUM.

Annual report of (See Documentary Journal,)..... 119
Election of Commissioners for,.....509, 510, 511

BRADY, HENRY.

Elected Commissioner to Insane Hospital,..... 510

BRIGHT, JESSE D.

Elected U. S. Senator,.....135, 136

BOLTON, NATHANIEL.

Elected State Librarian,..... 72

BRUGH, JACOB

Attended, 3
Reports by,.....194, 330, 426, 517
Bills introduced by,.....132, 316, 336, 406
Motions by,132, 200, 272, 377

BUCKLES, JOSEPH S.

Attended, 3
Petitions by,.....181, 317, 328
Reports by,....73, 80, 131, 164, 196, 197, 201, 202, 215, 238, 240,
246, 305, 312, 329, 399, 400, 401, 438, 439,
441, 443, 505, 546, 448, 549, 568, 575, 576,
577, 578, 579, 587, 588
Resolutions by,.....37, 84, 212, 451
Bills introduced by,.....172, 405
Motions by,....52, 58, 107, 108, 115, 119, 144, 169, 172, 174, 177,
181, 187, 188, 200, 209, 214, 226, 228, 231,
233, 237, 306, 318, 324, 325, 343, 355, 362,
369, 378, 384, 397, 497, 546, 549, 566, 571,
596

BUSINESS.

Order of established,..... 44, 54

C.

CARNAHAN, ANDREW M.

Death of announced,..... 39

CHAMBERLAIN, EBENEZER M.

Elected President Judge of the 9th Judicial Circuit,..... 90

COMMITTEES.

Standing,..... 46, 47, 48, 69
Joint, 48

COMMUNICATIONS.

From Governor, appointing Executive Messenger,..... 9
From Branches of the State Bank,..... 33
From the President of the Board of Trustees of the Wabash
and Erie Canal, transmitting the annual report of,..... 35
From publishers of newspapers,..... 40, 41
From State Librarian, transmitting his annual report,..... 48
From the Cashier of the Branch of the State Bank of Indiana, at Indianapolis, 49
From Governor, transmitting a circular and petitions relative to a Geological survey of the State, 62
From the Governor, transmitting the resolutions of Maryland, Rhode Island, and Mississippi, relative to the late compromise measures adopted by Congress, 79
From the Governor, returning Senate bill No. 12,..... 93
From Superintendent of Blind Asylum,..... 170
From Superintendent of Blind Asylum,..... 207
From State Printer, relative to the Governor's Message in German, 281
From the Auditor of State, relative to the pay of Austin H. Brown, Printer to the Constitutional Convention,..... 299

CRAVENS, JAMES A.

Attended,..... 4
Reports by,.... 63, 139, 306, 307, 330, 359, 445, 446, 447, 519, 525, 553, 554, 560

Resolutions by,..... 7, 169
Bills introduced by, 266, 430, 486
Motions by,.... 33, 59, 128, 141, 142, 152, 207, 218, 259, 275, 289, 290, 291, 337, 354, 369, 379, 407, 432, 488, 544, 555, 560, 557

D.

DAILY, WILLIAM

Elected State Bank Director,..... 171

DAWSON, REUBEN J.

Attended,..... 3
Petitions by,..... 52, 54, 62, 137, 170, 229, 230, 271
Reports by,..... 64, 130, 167, 185, 217, 263, 287, 332, 513
Resolutions by, 72
Bills introduced by,..... 71, 184, 231, 288, 317
Motions by,.... 35, 52, 54, 60, 62, 78, 137, 143, 170, 183, 192, 233, 234, 243, 310, 345, 350, 351

DAY, HENRY.

Attended, 4
Petition by, 150
Resolution by, 499
Bills introduced by, 118, 271, 529
Motions by,..... 54, 292

DEAF AND DUMB ASYLUM.

Report of the Superintendent and Trustees of (Sec. Doc. Journal, 96
Address of pupils of, 562

DEFREES, JOSEPH H.

Attended,..... 4
Petitions by, 122, 150, 328, 356, 423, 466

Reports by,	76, 83, 185, 260, 285, 329, 376, 402, 424, 425, 448, 510, 517, 518, 520, 523, 550
Bills introduced by,	57, 214, 232, 240, 430
Motions by,	60, 122, 216, 233, 241, 243, 372, 383, 602, 608, 610

DELEVAN, ALFRED M.

Attended,	4
Petition by,	193
Reports by,	125, 218, 425, 508
Resolution by,	491
Bills by,	66, 183
Motions by,	66, 193, 523

DOLE, WILLIAM P.

Attended,	103
Petition by,	239
Reports by,	211, 276, 422, 507
Bills by,	316, 498
Motions by,	142, 192, 210, 264, 362, 369, 481, 527, 586, 624

DOOR-KEEPER.

Election of,	6
--------------	---

DOWNEY, ALEXANDER C.

Elected President Judge of 3d Judicial Circuit,	56
---	----

DUNN, GEORGE G.

Attended,	4
Petitions by,	162, 163, 328, 450
Reports by,	124, 163, 203, 305, 399, 438, 440
Resolutions by,	158, 213, 216, 609, 620
Bills by,	42, 154, 183, 184, 214, 548
Motions by,	42, 95, 142, 154, 162, 163, 170, 173, 174, 178, 183, 187, 196, 202, 208, 244, 253, 258, 267, 269, 270, 290, 295, 304, 309, 314, 323, 324, 326, 338, 348, 353, 355, 371, 373, 435, 447, 452, 457, 468, 495, 496, 520, 526, 529, 544, 545, 555, 556, 562, 563, 567, 604, 607, 608, 613

ECKLES, DELANA R.

Elected President Judge of the 7th Judicial Circuit,	95
--	----

EDDY, NORMAN.

Attended,	3
Reports by,	83, 182, 206, 255, 260, 261, 286, 307, 359, 424, 445, 446, 448, 460, 470, 517, 518, 549, 609, 623, 628
Bills by,	85, 94, 195, 218, 289, 404
Motions by,	34, 38, 85, 90, 146, 216, 295, 299, 353, 373, 374, 395, 432, 435, 472, 586, 628

ELECTIONS.

Principal Secretary of the Senate,	4, 5
Assistant Secretary of the Senate,	5
Doorkeeper of the Senate,	6
President Judge of the 3d Judicial Circuit,	56
Judge of Marion Court of Common Pleas,	70
President Judge of the 9th Judicial Circuit,	90
President Judge of the 7th Judicial Circuit,	95
President Judge of the 6th Judicial Circuit,	160
Warden to the State Prison,	157
State Bank Director,	172
Commissioners to the Asylum for the Insane,	509, 510, 511

ELLIOTT, JEHU T.

Elected President Judge of the 6th Judicial Circuit,	160
--	-----

ELLIS, ABNER T.

Attended,	4
Petitions by,	75, 94, 120, 162, 318
Reports by,	64, 83, 163, 175, 177, 206, 230, 242, 298, 313, 445, 446, 470, 486, 497, 506, 516, 518, 579, 622
Resolutions by,	168, 625
Bills by,	67, 75, 117, 183, 316, 317, 335
	58 S

Motions by, 38, 49, 56, 78, 79, 90, 94, 108, 109, 115, 120, 152, 178
 179, 201, 205, 206, 207, 216, 243, 244, 288, 290,
 291, 317, 324, 338, 347, 349, 353, 359, 370, 374,
 380, 382, 384, 418, 432, 451, 472, 485, 504, 539,
 554, 616, 619

EMERSON, FRANK.

Elected Principal Secretary, 4

ENGLISH, ELISHA G.

Attended, 4
 Petitions by, 242, 328, 335, 357
 Resolutions by, 428
 Reports by, 242, 469, 579, 595, 613
 Bills by, 122, 241, 317
 Motions by, 5, 78, 93, 193, 201, 212, 216, 234, 237, 244, 310,
 379, 435, 471, 485, 486, 496, 503, 522, 533, 545,
 585, 590, 612

EVANS, GEORGE.

Attended, 3
 Bills by, 42, 380, 498
 Motions by, 36, 142, 304, 353

G.

GARVER, WILLIAM.

Attended, 3
 Petitions by, 54, 201, 328, 423
 Reports by, 75, 80, 155, 193, 334, 394, 405, 575, 586, 587
 Resolutions by, 6, 105, 131
 Bills by, 37, 70, 186, 213, 220, 266, 289, 335, 435
 Motions by, 34, 52, 54, 141, 144, 201, 241, 245, 273, 291, 330,
 335, 369, 376, 382, 385, 433, 587, 622

GOODMAN, BENJAMIN T.

Attended, 4

Petitions by, 54, 170
 Reports by, 263, 332, 504
 Resolutions by, 527
 Bills by, 67, 404
 Motions by, 54, 60, 68, 80, 170, 237

GOVERNOR.

Annual Message of, 11

GRAHAM, CHRISTOPHER C.

Attended, 4
 Petitions by, 91
 Reports by, 82, 84, 140, 208, 313, 332, 359, 395, 396, 448,
 449, 520, 570
 Resolutions by, 589, 623
 Bills by, 10, 67, 85, 282, 337, 380
 Motions by, 4, 10, 51, 62, 85, 91, 93, 128, 204, 205, 279, 285, 298,
 479, 480, 563, 563, 582, 613, 618

H.

HAMRICK, AMBROSE D.

Attended, 9
 Petitions by, 271, 499
 Reports by, 92, 167, 507, 524, 551, 554, 556, 557
 Resolutions by, 37, 92, 526, 629
 Bills by, 38, 125, 263, 380
 Motions by, 35, 62, 77, 126, 159, 339, 351, 383, 481, 520, 556,
 591, 595, 603, 607, 628

HANNA, JAMES M.

Attended, 3
 Petitions by, 91
 Reports by, 151, 203, 497, 556
 Resolutions by, 7, 84, 523
 Bills by, 423
 Motions by, 5, 6, 48, 69, 70, 78, 91, 105, 106, 107, 116, 141, 164,
 193, 206, 243, 297, 313, 347, 368, 370, 371, 396,
 397, 432, 433, 456, 457, 472, 481, 496, 506, 520,
 521, 527, 528, 535, 542, 544, 545, 548, 566, 567,
 569, 591, 603, 620, 621

HARDIN, FRANKLIN.

Attended,	4
Petitions by,	132
Reports by,	331, 443, 450, 488, 551, 552, 553, 586, 614
Bills by,	452, 490
Motions by,	38, 103, 105, 209, 218, 246, 326, 344, 354, 367, 368, 369, 374, 384, 394, 423, 473, 475, 478, 535, 544, 567, 569, 592, 613

HARVEY, JONATHAN S.

Attended,	3
Petitions by,	229, 284, 423
Reports by,	74, 130, 193, 213, 263, 311, 321, 428, 439, 442, 444, 552
Resolutions by,	136, 173
Bills by,	9, 195, 266, 336, 263, 379, 453, 486, 559
Motions by,	35, 38, 51, 55, 58, 58, 68, 121, 152, 173, 189, 193, 228, 234, 237, 260, 271, 291, 330, 333, 355, 362, 382, 423, 432, 433, 456, 461, 465, 503, 520, 521, 529, 533, 534, 546, 558, 575, 587, 588, 591, 607, 612

HENTON, BENJAMIN.

Attended,	4
Petitions by,	91, 423
Reports by,	115, 487
Bills by,	404
Motions by,	51, 91, 146, 312, 427, 435

HEROD, WILLIAM.

Attended,	3
Petitions by,	43
Reports by,	123, 449, 473
Resolutions by,	52
Bills by,	42, 213, 452
Motions by,	45, 58, 244, 325, 369, 434, 471

HOLLOWAY, DAVID P.

Attended,	4
-----------------	---

Petitions by,	10, 80, 253, 356, 375
Reports by, ..	54, 121, 217, 255, 377, 378, 402, 444, 480, 525, 610
Bills by,	10, 52, 77, 185, 265, 315, 405, 490, 527, 559
Motions by, ..	10, 50, 52, 80, 141, 149, 237, 243, 273, 291, 299, 457, 475, 521, 539, 568, 591

HORTON, C. S.

Elected Assistant Secretary,	5
------------------------------------	---

HUNT, JOHN.

Attended,	4
Petitions by,	375
Reports by,	428
Bills by,	76, 86, 266, 318
Motions by,	76, 94, 266, 603

I.

INSANE HOSPITAL.

Annual Report of, (see Doc. Journal,)	124
---	-----

J.

JAMES, ENOCH R.

Attended,	4
Petition by,	150
Resolution by,	264
Bills by,	152, 160, 183, 213, 265, 276, 288, 336
Motions by,	146, 152, 160, 225, 276, 336, 382

JUDGES.

Election of President Judge of 3d judicial circuit,	56
Election of Judge of Marion Court of Common Pleas, ...	70
Election of President Judge of the 9th judicial circuit, ...	90

Election of President Judge of the 7th judicial circuit, . . .	95
Election of President Judge of the 6th judicial circuit, . . .	160

K.

KINNARD, THOMAS.

Attended,	3
Bill by,	317

KNOWLTON, HIRAM.

Attended,	4
Petitions by,	53
Reports by,	74, 124, 339, 517
Resolutions by,	33, 429, 526
Bills by,	94, 132, 152, 214, 233, 316
Motions by,	53, 114, 132, 145, 149, 152, 153, 397, 543, 572, 592, 596, 608

L.

LANDER, EDWARD.

Elected Judge of the Marion Court of Common Pleas, . . .	70
--	----

LIBRARIAN.

Election of,	72, 73
------------------------	--------

LOGAN, REUBEN D.

Attended,	4
Reports by	81, 123, 194, 215, 319, 320, 442, 443, 504
Bills by,	265, 404, 405, 406
Motions by,	67, 324

LYON, ROBERT W.

Death of, announced,	39
--------------------------------	----

M.

MARSHALL, JOSEPH G.

Attended,	4
Petitions by,	215, 239, 317
Reports by,	82, 139, 246, 319, 320, 468, 485
Bills by,	184, 185, 213, 241, 266, 289, 335, 405, 548
Motions by,	96, 152, 154, 177, 184, 241, 253, 253, 284, 311, 485, 503, 521, 543, 545, 548, 550

McCARTY, NICHOLAS.

Attended,	4
Reports by,	63, 84, 231, 285, 286, 424, 447, 515, 516
Resolutions by,	173, 259
Bills by,	10, 93, 527, 528
Motions by,	78, 128, 176, 204, 210, 269, 270, 309, 380, 385, 555, 612, 613, 616

MESSICK, JOSEPH A.

Elected Door-keeper,	6
--------------------------------	---

MESSAGES.

From the Governor,	11, 95, 97, 179, 219, 235, 247, 307, 372, 407, 462, 482, 508, 593, 626, 630, 632
From the House of Representatives,	7, 8, 9, 11, 34, 36, 37, 49, 50, 56, 59, 60, 65, 66, 68, 70, 71, 72, 88, 89, 90, 94, 97, 103, 109, 117, 120, 121, 122, 127, 132, 134, 135, 139, 142, 146, 149, 150, 152, 154, 159, 162, 167, 168, 171, 172, 174, 179, 180, 181, 182, 188, 189, 190, 191, 210, 221, 227, 228, 235, 236, 238, 247, 274, 275, 277, 278, 279, 280, 282, 283, 288, 295, 296, 298, 304, 322, 327, 340, 341, 345, 362, 363, 364, 378, 386, 387, 389, 390, 391, 408, 409, 416, 418, 419, 431, 435, 436, 453, 454, 459, 460, 461, 463, 464, 465, 466, 467, 471, 476, 477, 478, 479, 481, 482, 483, 484, 489, 491, 492, 500,

501, 502, 509, 523, 524, 530, 533, 535, 539, 540, 541, 545,
547, 558, 560, 561, 563, 569, 570, 572, 573, 574, 576, 591,
593, 595, 596, 597, 598, 599, 600, 601, 602, 603, 605, 606,
610, 611, 614, 615, 616, 617, 618, 619, 621, 622, 624, 625,
627, 629, 631, 635

MICKLE, SAMUEL S.

Attended, 4
Petitions by, 53, 284, 373, 466
Reports by, .. 166, 217, 264, 314, 315, 401, 403, 426, 427, 429, 444,
508, 524, 557
Resolutions by, 55, 174, 264
Bills by, 67, 75, 126, 129, 184, 221, 559
Motions by, .. 48, 49, 53, 59, 75, 108, 126, 136, 157, 168, 169, 210,
234, 291, 299, 349, 353, 357, 373, 382, 521, 523,
527, 541, 542, 543, 602, 604, 612

MILLER, HOUSTON.

Attended, 4
Petitions by, 86, 328, 375
Reports by, 231 277, 314
Resolutions by, 33, 52, 213, 264, 271, 496
Bills by, 52, 89, 183, 240, 406, 407
Motions by, ... 86, 88, 102, 122, 143, 152, 200, 229, 240, 243, 284,
482, 545

MILLIKEN, JAMES P.

Attended, 3
Petitions by, 43, 137, 181, 229, 356
Reports by, 63, 82, 138, 151, 211, 261, 286, 287, 329, 358, 400, 426
Resolutions by, 44, 55, 117, 136, 141, 162, 255, 264
Bills by, 60, 158, 160, 183, 265, 288, 289, 430
Motions by, 9, 34, 43, 60, 80, 89, 121, 132, 137, 160, 161, 164, 180,
181, 186, 200, 210, 225, 233, 268, 241, 242, 269,
275, 279, 283, 304, 316, 340, 350, 356, 362, 378,
379, 383, 422, 485, 529, 532, 543, 588, 591, 592

MONTGOMERY, WILLIAM G.

Attended, 3
Reports by, 195, 502

Resolutions by, 33, 623
Bills by, 214, 220, 405, 406
Motions by, 6, 33, 38, 39, 95, 141, 200, 201, 246, 353, 370, 396, 453

N

NEW ALBANY AND VINCENNES TURNPIKE.

Report of Superintendent of, 59

NIBLACK, WILLIAM E.

Attended, 4
Petitions by, 79, 83, 162, 242, 318
Reports by, .. 150, 182, 243, 261, 313, 357, 425, 484, 488, 514, 529,
547, 585, 617
Resolutions by, .. 42, 71, 76, 140, 184, 403, 429, 430, 518, 588, 625
Bills by, 152, 213, 220, 275, 363, 423, 553, 490, 545
Motions by, ... 35, 79, 103, 129, 142, 153, 162, 169, 236, 237, 244,
252, 310, 383, 460, 474, 551, 554, 556, 559, 560,
604, 619

NOFSINGER, WILLIAM R.

Elected Trustee to the Wabash and Erie Canals, 153

O

OATHS.

Administered to Senators, 4
To officers of Senate, 5, 6

ODELL, JOHN W.

Attended, 4
Petitions by, 86, 163, 201, 229, 356, 466
Reports by, 513
Bills by, 86, 241, 288, 317, 490, 528
Motions by, 86, 163, 417, 539, 618

OFFICERS.

Officers of the Senate elected,.....	4, 5, 6
Organization of the Senate,.....	3, 4, 5, 6

P

PECK, EDWIN J.

Elected Commissioner for Insane Hospital,.....	512
--	-----

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Holloway on the subject of Temperance,.....	11
By Mr. Dawson from ladies of DeKalb county on the same subject,.....	37
By Mr. Milliken on the subject of Temperance,.....	43
By Mr. Winstandley of J. B. Anderson and others for a charter for University,.....	43
By Mr. Herod of W. B. Horn,.....	43
By Mr. Dawson of 117 ladies of DeKalb county on the subject of temperance,.....	52
By Mr. Reid of the ladies of the town of Liberty on the same subject,.....	53
By Mr. Knowlton of Amaza Hazen,.....	53
By Mr. Mickle relative to a German school,.....	53
By Mr. Mickle relative to a State road,.....	53
By Mr. Garver relative to a plank road,.....	54
By Mr. Goodman relative to a State road,.....	54
By Mr. Dawson on the subject of Temperance,.....	54
By Mr. Berry on the subject of license,.....	54
By Mr. Dawson, of N. Jones and others in relation to a State road,.....	62
By Mr. Teegarden, of certain ladies of Laporte county on the subject of the liquor traffic,.....	72
By Mr. Ellis, for the relief of Elizabeth LeRoy,.....	75
By Mr. Athon, of the President and Directors of the Clark Central Plank Road Company,.....	75
By Mr. Niblack, relative to a State road,.....	79
By Mr. Holloway, relative to a State road,.....	80
By Mr. Allen, praying the vacation of certain streets and alleys in Fairview,.....	80

By Mr. Odell, relative to the sale of certain school lands in Tippecanoe county,.....	86
By Mr. Miller, of Wm. Rigney and others,.....	86
By Mr. Hanna, relative to the Evansville and Vincennes Railroad,.....	91
By Mr. Henton, on the subject of taxes,.....	91
By Mr. Graham, of Wm. Elder and others,.....	91
By Mr. Athon, relative to the divorce of Sophia Amick and Henry Amick,.....	91
By Mr. Teegarden, relative to a certain Railroad,.....	95
By Mr. Ellis, of citizens of Michigan relative to a Railroad,.....	120
By Mr. Defrees, of John Fitzpatrick and others,.....	122
By Mr. Hardin, of John H. Cutter,.....	132
By Mr. Reid, of citizens of Union county,.....	132
By Mr. Adams, on the subject of Temperance,.....	137
By Mr. Allen, on the same subject,.....	137
By Mr. Dawson, on the same subject,.....	137
By Mr. Sleeth, for the repeal of a certain law,.....	137
By Mr. Milliken, relative to the Portland and Louisville Canal,.....	137
By Mr. Dawson, relative to changes of venue in criminal cases,.....	137
By Mr. Day, on the subject of Temperance,.....	152
By Mr. Defrees, on the same subject,.....	152
By Mr. James, of B. G. Cutter & Co.,.....	152
By Mr. Niblack, asking for a State road,.....	162
By Mr. Dunn, asking a State road,.....	162
By Mr. Ellis, of citizens of Michigan relative to a Railroad,.....	162
By Mr. Allen, for the vacation of a State road,.....	162
By Mr. Odell against the vacation of the said road,.....	163
By Mr. Athon, for a precinct,.....	163
By Mr. Dunn, relative to removing obstructions in Clear Creek,.....	163
By Mr. Goodman, relative to the School law,.....	169
By Mr. Athon, for an additional Justice of the Peace,.....	170
By Mr. Dawson, relative to the school law,.....	170
By Mr. Milliken, of citizens of Lawrenceburgh,.....	181
By Mr. Milliken, of Isaac Dunn and others,.....	181
By Mr. Woods, relative to a State road,.....	181
By Mr. Brugh, for a school district,.....	181
By Mr. Walker, of Thomas Shannon,.....	181
By Mr. Turman, of Jos. Glasscock and others,.....	174
By Mr. Dawson, relative to the repeal of a certain law,.....	184
By Mr. Sleeth, of the ladies of Shelbyville on the subject of Temperance,.....	193
By Mr. Delevan, on the subject of swamp lands,.....	193
By Mr. Turman of William Simpson,.....	193
By Mr. Delevan, to declare Mill Creek a highway,.....	193

By Mr. Garver, of Joseph Fisher and others,	201
By Mr. Odell, on the subject of Temperance,	201
By Mr. Turman, relative to the Constitutional Convention,	215
By Mr. Marshall, on the subject of Colonization,	215
By Mr. Turman, relative to medical science,	215
By Mr. Harvey, of R. Trowbridge and others,	229
By Mr. Milliken, relative to a free bridge,	229
By Mr. Odell, of J. and E. L. Beard and others,	229
By Mr. Milliken, of David Nevitt,	229
By Mr. Odell, on the subject of Temperance,	229
By Mr. Milliken, on the subject of Temperance,	229
By Mr. Dawson, on the same subject,	229
By Mr. Dawson, of Alonzo Watkins,	230
By Mr. Marshall, of the Madison and Indianapolis Railroad Company,	239
By Mr. Dole, of Mary E. Gookins on the subject of Temperance,	239
By Mr. English relative to opening streets and alleys in the town of Lexington,	242
By Mr. Milliken, relative to exempting property from taxation in Lawrenceburgh,	242
By Mr. Herod, on the subject of the Central Canal,	242
By Mr. Ellis, relative to a certain prairie,	242
By Mr. Ellis, of certain ladies on the subject of Temperance,	242
By Mr. Niblack, relative to the removal of the county seat of Martin county,	242
By Mr. Woods, of the citizens of Rising Sun,	252
By Mr. Woods, a remonstrance on the same subject,	252
By Mr. Holloway, on the subject of Homestead Exemption,	253
By Mr. Hamrick, of John Gilmore and others,	271
By Mr. Harvey, of Wm. Johnson and others,	284
By Mr. Mickle, on the subject of Temperance,	284
By Mr. Milliken, relative to school lands,	304
By Mr. Marshall, on the subject of Temperance,	317
By Mr. Ellis, of citizens of Wisconsin,	317
By Mr. Winstandley, relative to Colonization,	318
By Mr. Reid, relative to the black laws,	318
By Mr. Niblack, relative to the county seat of Martin county,	318
By Mr. Woods, on the subject of Temperance,	318
By Mr. Reid, of Richard Thomas,	319
By Mr. English, of Hezekiah A. Sutton and others,	328
By Mr. Miller, relative to the navigation of Blue River,	328
By Mr. Defrees, relative to school lands,	328
By Mr. Garver, on the subject of Temperance,	328
By Mr. Buckles, of Wm. Goings and others,	328
By Mr. Dunn, of B. G. Cutter,	328

By Mr. Adams, of F. T. Butler,	335
By Mr. Reid, of citizens of Union county,	355
By Mr. Reid, relative to a Homestead Exemption,	356
By Mr. Odell, relative to common schools,	356
By Mr. Odell, on the subject of Temperance,	356
By Mr. Holloway, on the same subject,	356
By Mr. Defrees, of John P. Werts and others,	356
By Mr. Milliken, six petitions on the subject of Temperance,	356
By Mr. Milliken, of citizens of Aurora,	356
By Mr. Adams, of the citizens of Bloomington,	375
By Mr. Turman, relative to the county seat of Fountain county,	375
By Mr. Miller, relative to a State road,	375
By Mr. Hunt, on the subject of Temperance,	375
By Mr. Henton, of the citizens of Upper Wabash,	409
By Mr. Harvey, relative to the Indianapolis and Brownsburgh Plank Road Co.,	409
By Mr. Harvey, on the subject of Temperance,	423
By Mr. Garver, on the same subject,	423
By Mr. Henton, relative to the school law,	423
By Mr. Defrees, relative to certain school lands,	423
By Mr. Defrees, relative to a Homestead,	466
By Mr. Berry, relative to county seat of Franklin county,	466
By Mr. Odell, relative to common schools,	466
By Mr. Mickle, of citizens of Wells county,	466
By Mr. Hamrick, of Daniel Chad and others,	499
By Mr. Turman, relative to the location of the seat of justice of Fountain county,	499
By Mr. Berry, of John W. Hitt and others,	561

PORTER, WILLIAM A.

Attended,	8
Reports by,	200, 230, 469, 513
Bills by,	66, 66
Motions by,	116, 165, 189, 267, 379, 414, 427, 529, 545

PROTEST

Of John S. Reed and R. D. Logan,	366
--	-----

R.

RIED, JOHN S.

Attended	8
Petitions by,.....	53, 132, 418, 319, 355, 356
Reports by, 44, 81, 91, 123, 163, 194, 202, 203, 247, 319, 322, 437, 438, 438, 441, 442, 487, 580	
Resolutions by,	10, 33, 120, 140
Bills by,.....	52, 56, 57, 67, 81, 94, 126, 151, 241, 266, 316, 431
Motions by, 33, 37, 38, 42, 51, 52, 53, 54, 55, 56, 57, 74, 78, 86, 94, 119, 126, 132, 134, 141, 143, 147, 165, 178, 196, 210, 226, 234, 254, 291, 309, 319, 323, 327, 341, 351, 355, 365, 374, 471, 472, 497	

REPORTS OF STANDING COMMITTEES.

ELECTIONS.

By Mr. Reid, on House bill No. 42,.....	163
By Mr. Reid, on a resolution of the Senate,.....	487
By Mr. Teegarden, on Senate bill No. 274,.....	550

FINANCE.

By Mr. Garver, on Senate bill No. 15,	80
By Mr. Garver, reporting Senate bill No. 107,	193
By Mr. English, reporting Senate bill No. 147,	242
By Mr. Niblack, reporting Senate bill No. 148,	243
By Mr. Defrees, on Senate bill No. 100,	243
By Mr. Garver, on Senate bill No. 103,	245
By Mr. Alexander, on a petition of the Senate, ...	245
By Mr. Garver, on joint resolution of the Senate No.—...	330
By Mr. Garver, on Senate bill No. 167,	394
By Mr. Garver, on Senate bill No. 138,	405
By Mr. Niblack, on House bill No. 241,	484
By Mr. Marshall, on Senate bill No. 266,	485
By Mr. Niblack, on Senate bill No. 211,	488
By Mr. Niblack, on House bill No. 320,	518
By Mr. Niblack, on House bill No. 160,	529
By Mr. Cravens, on Senate bill No. 269,	560
By Mr. Niblack, on House bill No. 384,	569
By Mr. Garver, on Senate bill No. 230,	575
By Mr. Garver, on Senate bill No. 203,	586

By Mr. Garver, on House bill No. 45,	587
By Mr. Garver, on House bill No. 243,	587
By Mr. Garver, on certain petitions and resolutions,	622

JUDICIARY.

By Mr. Buckles, on Senate bill No. 20,	73
By Mr. Knowlton, reporting Senate bill No. 34,	74
By Mr. Harvey, on Senate bill No. 6,	74
By Mr. Buckles, on Senate bill No. 38,	80
By Mr. Logan, on a resolution of the Senate,	81
By Mr. Reid, on a resolution of the Senate,	81
By Mr. Marshall, on House bill No. 21,	82
By Mr. Ried, on Senate bill No. 13,	91
By Mr. Hamrick, on Senate bill No. 39,	92
By Mr. Herod, on Senate bill No. 44,	123
By Mr. Ried, on Senate bill No. 17,	123
By Mr. Logan, on resolution of the Senate, relative to free negroes,	124
By Mr. Dunn, on House bill No. 3,	124
By Mr. Reid, on a resolution of the Senate,	247
By Mr. Dunn, on Senate bill No. 121,	253
By Mr. Marshall, on Senate bill No. 91,	253
By Mr. Sleeth, on Senate bill No. 107,	254
By Mr. Dunn, on Senate bill No. 112,	305
By Mr. Buckles, on Senate bill No. 88,	305
By Mr. Reid, on Senate bill No. 189,	319
By Mr. Logan, on House bill No. 11,	319
By Mr. Reid, on Senate bill No. 135,	319
By Mr. Marshall, on Senate bill No. 182,	320
By Mr. Logan, on House bill No. 88,	320
By Mr. Marshall, on Senate bill No. 132,	320
By Mr. Logan, on Senate bill No. 158,	320
By Mr. Buckles, on House bill No. 20,	321
By Mr. Buckles, on House bill No. 97,	321
By Mr. Buckles, on House bill No. 47,	321
By Mr. Buckles, on a resolution of the Senate,	329
By Mr. Buckles, on Senate bill No. 206,	399
By Mr. Buckles, on Senate bill No. 204,	399
By Mr. Reid, on House bill No. 165,	437
By Mr. Buckles, on Senate bill No. 238,	438
By Mr. Buckles, on House bill No. 225,	438
By Mr. Reid, on Senate bill No. 207,	438
By Mr. Dunn, on Senate bill No. 256,	438
By Mr. Harvey, on the petition of James Elliott,	439
By Mr. Harvey, on House bill No. 45,	439
By Mr. Buckles, on Senate bill No. 263,	576
By Mr. Buckles, on Senate bill No. 277,	577

By Mr. Buckles, on House bill No. 267,.....	577
By Mr. Buckles, on House bill No. 343,.....	577
By Mr. Buckles, on petition of A. Wilkins and others, ..	278
By Mr. Buckles, on certain Senate resolutions,	578
By Mr. Buckles, on Senate bill No. 244,	578
By Mr. Buckles, on House bill No. 177,.....	579
By Mr. Buckles, on House bill No. 327,.....	587
By Mr. Buckles, on Senate bill No. 216,.....	588

FEDERAL RELATIONS.

By Mr. Montgomery, on Senate joint resolution No. 46,	195
By Mr. Porter, on Senate joint resolution No. 23,	200
By Mr. Dunn, on House joint resolution No. 92,.....	203
By Mr. Hanna, on House bill No. 65,.....	498
By Mr. Hanna, on certain petitions, &c.,	557

EDUCATION.

By Mr. Woods, on Senate bill No. 19,.....	216
By Mr. Turman, on House bill No. 90,.....	216
By Mr. Dawson, on House bill No. 82,.....	217
By Mr. Mickle, on a resolution of the Senate,.....	217
By Mr. Holloway, on House bill No. 56,	217
By Mr. Harvey, on House bill No. 66,.....	321
By Mr. Reid, on the petition of David Wilkerson,	322
By Mr. Woods, on House bill No. 161,.....	331
By Mr. Hardin, on House bill No. 201,.....	331
By Mr. Milliken, reporting Senate bill No. 212,.....	358
By Mr. Hardin, on the petition of Jackson P. Bolton and others,	443
By Mr. Mickle, on Senate bill No. 232,	444
By Mr. Holloway, on House bill No. 216,	444
By Mr. Harvey, on House bill No. 188,	444
By Mr. Hardin, on House bill No. 342,.....	488
By Mr. Turman, on bill No. 74,.....	505
By Mr. Hardin, on Senate bill No. 289,.....	586
By Mr. Hardin, on petitions relative to the school law,	613

ON MILITARY AFFAIRS.

By Mr. Adams, on Senate resolution,	468
---	-----

CANALS AND INTERNAL IMPROVEMENTS.

By Mr. Ellis, on joint resolution of the Senate No. 146,	356
--	-----

ON ROADS.

By Mr. Porter, on the petition of William Cunningham and others,	230
By Mr. Winstandley, on a resolution of the Senate,....	254
By Mr. Dole, on Senate bill No. 113,.....	276
By Mr. Miller, on Senate bill No. 109,.....	277
By Mr. Porter, on House bill No. 267,.....	469
By Mr. Porter, on House bill No. 306,.....	469

ON CLAIMS.

By Mr. Niblack, on House bill No. 173,.....	357
By Mr. Niblack, reporting Senate bill No. 211,.....	357
By Mr. English, on Senate bill No. 136,.....	357
By Mr. Athon, reporting Senate bill No. —.....	394
By Mr. Dunn, on the petition of Thomas Shannon,....	399
By Mr. English, on the petition of F. T. Butler,.....	470
By Mr. English, on House bill No. 173,	485
By Mr. English, on House bill No. 351,.....	579
By Mr. English, on Senate bill No. 258,.....	595
By Mr. English, relative to the claim of the widow of E. G. Black,	613

ON STATE PRISON.

By Mr. Athon, on House bill No. 62,.....	194
By Mr. Athon, reporting Senate bill No. 129,.....	218

ON STATE LIBRARY.

By Mr. Holloway, on Senate bill No. 201,.....	375
---	-----

ON THE STATE BANK.

By Mr. Berry, on the reports of, and of the Branches,.....	610
--	-----

ON AGRICULTURE.

By Mr. Milliken, on Senate bill No. 60,.....	255
By Mr. Holloway, reporting Senate bill No. 149,.....	255

ON CORPORATIONS.

By Mr. Milliken, relative to Senate bill No. 16,.....	63
By Mr. Cravens, relative to Senate bill No. 4,.....	63
By Mr. McCarty, on Senate bill No. 3,.....	63
By Mr. Ellis, on Senate bill No. 8,.....	63
By Mr. Defrees, on Senate bill No. 11,.....	76
By Mr. Milliken, on Senate bill No. 22,.....	82
By Mr. Graham, on Senate bill No. 2,.....	82
By Mr. Niblack, on Senate bill No. 28,.....	83
By Mr. Ellis, on Senate bill No. 29,.....	83
By Mr. Eddy, on Senate bill No. 7,.....	83
By Mr. Defrees, on Senate bill No. 17,.....	83
By Mr. McCarty, on Senate bill No. 32,.....	84
By Mr. Graham, on Senate bill No. 26,.....	84
By Mr. Hamrick, on Senate bill No. 39,.....	92
By Mr. Winsteadley, on Senate bill No. 42,.....	124
By Mr. Milliken, on House bill No. 34,.....	138
By Mr. Cravens, on House bill No. 36,.....	139
By Mr. Cravens, on Senate bill No. 50,.....	139
By Mr. Niblack, on House bill No. 40,.....	150
By Mr. Ellis, on Senate bill No. 75,.....	165
By Mr. Ellis, on Senate bill No. 73,.....	175
By Mr. Winsteadley, on Senate bill No. 76,.....	175
By Mr. Ellis, on Senate bill No. 75,.....	177
By Mr. Eddy, on Senate bill No. 55,.....	182
By Mr. Defrees, on bill No. 16,.....	185
By Mr. Winsteadley, on Senate bill No. 80,.....	204
By Mr. Ellis, on Senate bill No. 85,.....	206
By Mr. Eddy, on bill No. 70,.....	206
By Mr. Graham, on House bill No. 24,.....	208
By Mr. Ellis, on Senate bill No. 90,.....	230
By Mr. Ellis, on House bill No. 13,.....	230
By Mr. McCarty, on Senate bill No. 111,.....	231
By Mr. McCarty, on House bill No. 53,.....	231
By Mr. Eddy, on Senate bill No. 40,.....	255
By Mr. Winsteadley, on Senate bill No. 87,.....	260
By Mr. Defrees, on Senate bill No. 84,.....	260
By Mr. Eddy, on Senate bill No. 66,.....	260
By Mr. Milliken, on bill No. 99,.....	261
By Mr. Eddy, on House bill No. 54,.....	261
By Mr. Winsteadley, on Senate bill No. 109,.....	277

By Mr. Winsteadley, on Senate bill No. 144,.....	284
By Mr. Winsteadley, on House bill No. 100,.....	284
By Mr. Defrees, on House bill No. 60,.....	285
By Mr. Defrees, on Senate bill No. 119,.....	285
By Mr. McCarty, on Senate bill No. 164,.....	285
By Mr. Eddy, on Senate bill No. 120,.....	286
By Mr. Eddy, on Senate bill No. 143,.....	286
By Mr. McCarty, on House bill No. 127,.....	286
By Mr. McCarty, on Senate bill No. 124,.....	286
By Mr. Milliken, on Senate bill No. 160,.....	287
By Mr. Ellis, on Senate bill No. 155,.....	298
By Mr. Ellis, on Senate bill No. 123,.....	298
By Mr. Cravens, on House bill No. 140,.....	306
By Mr. Cravens, on Senate bill No. 153,.....	306
By Mr. Eddy, on a certain petition,.....	307
By Mr. Cravens, on Senate bill No. 126,.....	307
By Mr. Defrees, on House bill No. 81,.....	329
By Mr. Milliken, on Senate bill No. 157,.....	329
By Mr. Cravens, on Senate bill No. 161,.....	330
By Mr. Graham, on Senate bill No. 174,.....	359
By Mr. Winsteadley, on House bill No. 31,.....	359
By Mr. Cravens, on House bill No. 126,.....	359
By Mr. Eddy, on House bill No. 162,.....	360
By Mr. Defrees, on Senate bill No. 5,.....	376
By Mr. Winsteadley, on House bill No. 147,.....	395
By Mr. Eddy, on House bill No. 215,.....	395
By Mr. Graham, on Senate bill No. 202,.....	395
By Mr. Graham, on House bill No. 124,.....	395
By Mr. Graham, on House bill No. 81,.....	396
By Mr. Milliken, on House bill No. 156,.....	400
By Mr. McCarty, on House bill No. 255,.....	424
By Mr. Winsteadley, on House bill No. 146,.....	424
By Mr. Defrees, on House bill No. 135,.....	424
By Mr. Eddy, on House bill No. 168,.....	424
By Mr. Defrees, on House bill No. 213,.....	425
By Mr. Niblack, on House bill No. 204,.....	425
By Mr. Eddy, on House bill No. 269,.....	445
By Mr. Cravens, on House bill No. 304,.....	445
By Mr. Winsteadley, on a remonstrance of the citizens of St. Joseph county,.....	445
By Mr. Ellis, on Senate bill No. 228,.....	446
By Mr. Winsteadley, on a petition,.....	446
By Mr. Defrees, on Senate bill No. 254,.....	446
By Mr. Cravens, on House bill No. 171,.....	446
By Mr. Eddy, on House bill No. 152,.....	447
By Mr. Winsteadley, on a petition,.....	447
By Mr. Cravens, on Senate bill No. 234,.....	447
By Mr. McCarty, on House bill No. 274,.....	447

By Mr. Defrees, on House bill No. 303,.....	448
By Mr. Eddy, on House bill No. 141,.....	448
By Mr. Graham, on House bill No. 260,.....	448
By Mr. Graham, on Senate bill No. 180,.....	449
By Mr. Niblack, on Senate bill No. 261,.....	459
By Mr. Eddy, on Senate bill No. 260,.....	460
By Mr. Eddy, on Senate bill No. 251,.....	470
By Mr. Winstandley, on House bill No. 279,.....	470
By Mr. Ellis, on Senate bill No. 117,.....	470
By Mr. Ellis, reporting Senate bill No. 266,.....	479
By Mr. Buckles, on Senate bill No. 220,.....	505
By Mr. Ellis, on Senate bill No. 265,.....	506
By Mr. Defrees, on House bill No. 363,.....	515
By Mr. McCarty, on Senate bill No. 235,.....	515
By Mr. Ellis, on House Resolution No. 284,.....	516
By Mr. Winstandley, on House bill No. 151,.....	516
By Mr. Winstandley, on House bill No. —.....	516
By Mr. McCarty, on House bill No. 236,.....	516
By Mr. Eddy, on House bill No. 296,.....	517
By Mr. Defrees, on Senate bill No. 133,.....	517
By Mr. Ellis, on House bill No. 321,.....	518
By Mr. Eddy, on House bill No. 350,.....	518
By Mr. Defrees, on House bill No. 353,.....	518
By Mr. Winstandley, on House bill No. 261,.....	519
By Mr. Eddy, on House bill No. 381,.....	519
By Mr. Cravens, on Senate bill No. 255,.....	519
By Mr. Cravens, on Senate bill No. 242,.....	519
By Mr. Defrees, on House bill No. 369,.....	520
By Mr. Graham, on House bill No. 278,.....	520
By Mr. Defrees, on House bill No. 228,.....	522
By Mr. Winstandley, on House bill No. 377,.....	547
By Mr. Niblack, on House bill No. 405,.....	547
By Mr. Eddy, on House bill No. 133,.....	549
By Mr. Defrees, on House bill No. 364,.....	550
By Mr. Defrees, on Senate bill No. 243,.....	550
By Mr. Eddy, on House bill No. 354,.....	609
By Mr. Eddy, on Senate bill No. 237,.....	628
By Mr. Eddy, on Senate bill No. 181,.....	628

ON BENEVOLENT INSTITUTIONS.

By Mr. Sleeth, on Senate bill No. 78,.....	166
By Mr. Herod, on a resolution of the Senate,.....	449
By Mr. Woods, on a resolution of the Senate,.....	489
By Mr. Sleeth, on House bill No. 375,.....	489

ON ENROLLED BILLS.

By Mr. Teegarden,.....	134
By Mr. Teegarden,.....	155
By Mr. Teegarden,.....	161
By Mr. Teegarden,.....	177
By Mr. Teegarden,.....	315
By Mr. Teegarden,.....	331
By Mr. Teegarden,.....	361
By Mr. Teegarden,.....	361
By Mr. Teegarden,.....	386
By Mr. Teegarden,.....	422
By Mr. Teegarden,.....	436
By Mr. Teegarden,.....	436
By Mr. Teegarden,.....	437
By Mr. Teegarden,.....	450
By Mr. Teegarden,.....	463
By Mr. Teegarden,.....	469
By Mr. Teegarden,.....	481
By Mr. Teegarden,.....	489
By Mr. Teegarden,.....	499
By Mr. Teegarden,.....	504, 505, 526, 543, 546, 550, 558, 589, 623
By Mr. Teegarden,.....	628, 630

REPORTS FROM JOINT COMMITTEES.

By Mr. Hanna, reporting the time when the Governor would deliver his message,.....	9
By Mr. Hamrick, on Senate bill No. 296,.....	551
By Mr. Winstandley, from the committee to wait on the Governor and inform him that the two houses are ready to adjourn, unless he has some further communication to make,.....	634

REPORTS FROM COMMITTEES OF FREE CONFERENCE.

By Mr. Ellis, on Senate bill No. 103,.....	486
By Mr. Ellis, on House bill No. 156,.....	622
By Mr. Eddy, on House bill No. 481,.....	623

REPORTS FROM SELECT COMMITTEES.

By Mr. Reid, on Senate bill No. 1,.....	44
By Mr. Holloway, on House bill No. 4,.....	54

By Mr. Dawson, on House bill 19,	64
By Mr. Athon, on Senate bill No. 30,	87
By Mr. Winstandley, on printing Senate bill No. 47,	92
By Mr. Henton, reporting Senate bill No. 53,	115
By Mr. Holloway, reporting Senate bill No. 56,	121
By Mr. Knowlton, on Senate bill No. 52,	124
By Mr. Allen, reporting Senate bill No. 57,	125
By Mr. Delevan, on House bill No. 37,	125
By Mr. Athon, reporting Senate bill No. 58,	125
By Mr. Adams, on House bill No. 20,	130
By Mr. Dawson, reporting Senate bill No. 64,	131
By Mr. Marshall, reporting Senate bill No. 67,	139
By Mr. Graham, reporting Senate bill No. 68,	140
By Mr. Graham, on House bill No. 28,	140
By Mr. Alexander, on House bill No. 57,	149
By Mr. Milliken, on Senate bill No. 40,	151
By Mr. Hanna, reporting Senate bill No. 70,	151
By Mr. Sleeth, on House bill No. 75,	151
By Mr. Athon, on Senate bill No. 69,	154
By Mr. Garver, on House bill No. 66,	155
By Mr. Adams, on House bill No. 69,	158
By Mr. Mickle, on House bill No. 100,	167
By Mr. Hamrick, on House bill No. 71,	167
By Mr. Dawson, on a resolution of the Senate,	167
By Mr. Dawson, reporting Senate bill No. 97,	185
By Mr. Athon, reporting Senate bill No. 104,	192
By Mr. Brugh, reporting Senate bill No. 108,	194
By Mr. Milliken, on House bill No. 52,	211
By Mr. Milliken, on Senate bill No. 84,	211
By Mr. Dole, on Senate bill No. 83,	211
By Mr. Delevan, reporting Senate bill No. 130,	218
By Mr. Miller, on House bill No. 144,	231
By Mr. Buckles, on House bill No. 53,	238
By Mr. Buckles, on House bill No. 95,	240
By Mr. Niblack, reporting Senate bill No. 150,	261
By Mr. Niblack, on a petition of the citizens of Dubois county,	261
By Mr. Allen, on the Petition of John Coon and others,	262
By Mr. Berry, on House bill No. 108,	262
By Mr. Goodman, on House bill No. 14,	263
By Mr. Harvey, reporting Senate bill No. 151,	263
By Mr. Dawson, reporting Senate bill No. 152,	263
By Mr. Mickle, on House bill No. 8,	264
By Mr. Alexander, on House bill No. 18,	287
By Mr. Dawson, on Senate bill No. 137,	287
By Mr. Milliken, reporting Senate bill No. 172,	287
By Mr. Harvey, reporting Senate bill No. 184,	312
By Mr. Ellis, on House bill No. 61,	312
By Mr. Hanna, on House bill No. 195,	313

By Mr. Niblack, reporting Senate bill No. 185,	313
By Mr. Graham, on House bill No. 244,	313
By Mr. Miller, on Senate bill No. 86,	314
By Mr. Mickle, on Senate bill No. 179,	314
By Mr. Brugh, on Senate bill No. 190,	331
By Mr. Dawson, on Senate bill No. 152,	332
By Mr. Goodman, on House bill No. 196,	332
By Mr. Graham, on House bill No. 60,	332
By Mr. Allen, on Senate bill No. 170,	333
By Mr. Allen, on House bill No. 163,	334
By Mr. Garver, on House bill No. 139,	334
By Mr. Knowlton, on Senate bill No. 188,	334
By Mr. English, reporting Senate bill No. 209,	335
By Mr. Alexander, on House bill No. 24,	360
By Mr. Athon, on Senate bill No. 166,	360
By Mr. Holloway, reporting Senate bill No. 216,	377
By Mr. Brugh, on House bill No. 214,	378
By Mr. Holloway, on Senate joint resolution No. 148,	379
By Mr. Buckles, on House bill No. 180,	400
By Mr. Buckles, on House bill No. 107,	401
By Mr. Mickle, reporting Senate bill No. 223,	401
By Mr. Adams, on Senate bill No. 221,	401
By Mr. Holloway, reporting Senate bill No. 224,	402
By Mr. Defrees, reporting Senate bill No. 225,	403
By Mr. Mickle, reporting Senate bill No. 226,	413
By Mr. Woods, reporting Senate bill No. 245,	415
By Mr. Dole, on House bill No. 229,	422
By Mr. Delevan, on House bill No. 345,	425
By Mr. Milliken, on House bill No. 281,	426
By Mr. Brugh, on House bill No. 310,	426
By Mr. Mickle, on House bill No. 86,	426
By Mr. Mickle, on House bill No. 311,	427
By Mr. Harvey, reporting Senate bill No. 248,	428
By Mr. Hunt, reporting Senate bill No. 240,	428
By Mr. Mickle, on House bill No. 268,	429
By Mr. Garver, on House bill No. 368,	435
By Mr. Sleeth, on House bill No. 282,	449
By Mr. Hardin, on House bill No. 303,	450
By Mr. Herod, on House bill No. 358,	473
By Mr. Holloway, on Senate bill No. 267,	480
By Mr. Hamrick, on House bill No. 257,	481
By Mr. Allen, on House bill No. 288,	486
By Mr. Henton, on House bill No. 254,	487
By Mr. Ellis, on House bill No. 156,	497
By Mr. Montgomery, on House bill No. 301,	502
By Mr. Dole, on bill No. 278,	507
By Mr. Hamrick, on House bill No. 40,	507
By Mr. Mickle, on House bill No. 418,	508

[illegible][illegible][illegible]

RESOLUTIONS OF THE SENATE—Continued.

754

SUBJECT MATTER OF.

Introduced.	Mover's name.	Adopted.
Amendment to the amendment,	Mr. Milliken,	34
Amendment thereto,	Mickle,	35
Amendment thereto,	Dawson,	35
Providing for the election of President Judge of the 6th judicial circuit,	Buckles,	37
Relative to adjournment of the Senate,	Hamrick,	37
Relative to the election of Warden of State Prison,	Athon,	37
Relative to the death of Hon. Robert W. Lyon and Andrew M. Carnahan,	Turnan,	40
Relative to the remarks of Mr. Turman on the above resolutions of the Senate,	Montgomery,	40
Relative to the election of Sargeant-at-Arms,	Niblack,	42
Authorizing the principal and assistant Secretaries to employ assistants,	Woods,	42
Relative to the election of Librarian,	Athon,	43
Relative to the appointment of a committee on apportionment,	Milliken,	44
Requesting the Auditor of State to furnish the report of the Superintendent of the New Albany and Vincennes Road,		
Instructing the Judiciary Committee relative to the poll tax of Negroes,	Miller,	52
Instructing the Judiciary Committee relative to change of venue,	Herod,	53
Relative to a geological survey of the State,	Milliken,	55
Instructing the committee on Education,	Mickle,	55
Referring the Governor's message to the appropriate committees,	Winstandley,	55
	Hanna,	62

755

Relative to the discrepancy between the issue and redemption of the quarter per cent. treasury notes,	66
Instructing the committee on Claims to inquire how much is due Michael Riley, late superintendent of the New Albany and Vincennes road,	71
Instructing the committee on Education to inquire into the expediency of appropriating the swamp lands to the benefit of common schools,	72
Relative to discouraging immigration of free Negroes into the State,	76
Relative to the election of President Judge of the 6th judicial circuit,	84
Relative to the expediency of changing the present mode of prosecuting the pleas of the State,	85
Fixing the time for the election of a State Bank Director,	85
Relative to the re-appraisalment of real estate,	85
Relative to the extension of the charter of the State Bank,	92
Relative to the reduction of the number of Senators and Representatives,	93
Authorizing the committee on Finance to send for persons and papers in a certain case,	105
Instructing the Judiciary committee relative to the amendment of the criminal law,	120
Instructing the committee on Benevolent Institutions relative to the Insane Hospital,	121
Fixing the time for the election of a Trustee of the Wabash and Erie Canal,	129
Relative to the adjournment of the Senate,	131
Requesting the State Printer to furnish Auditor's report of the enumeration of 1850,	136
Relative to registration laws,	136
Relative to elections,	140
Relative to the census,	140
Relative to the common school law,	141
	158

Milliken,	66
Niblack,	71
Dawson,	76
Niblack,	84
Hanna,	85
Buckles,	85
Reid,	85
Adams,	85
Hamrick,	93
Sleeth,	93
Garver,	105
Reid,	121
Winstandley,	129
Garver,	131
Harvey,	136
Milliken,	136
Niblack,	140
Reid,	140
Milliken,	141
Dunn,	158

RESOLUTIONS OF THE SENATE—Continued.

756

SUBJECT MATTER OF.

Introduced.	Mover's name.	Adopted.
162	Mr. Milliken,	162
168	Ellis,	168
169	Cravens,	169
173	McCarty,	173
173	Harvey,	173
174	Mickle,	185
184	Niblack,	195
195	Teegarden,	212
212	English,	212
212	Buckles,	212
212	English,	212
212	Athon,	212
213	Harvey,	213
213	Dunn,	213
213	Miller,	213
264	Milliken,	264
264	Mickle,	264
264	James,	264
264	Miller,	264

Appointing Mr. English President pro tem.,
 Fixing a day for the final adjournment of the Legislature,
 Relative to the election of a State Bank Director,
 Relative to the consolidation of railroad charters,
 Relative to the incorporation of towns,
 Relative to the pay of Circuit Judges,
 Relative to a revision of the road laws,
 Relative to adjournment of the Senate,
 Relative to the relief of the lessee of the State Prison,
 Relative to the sale of land for taxes,
 Relative to the claim of Mrs. Black against the State,
 Relative to the repeal of section 4, chapter 47, Revised Code of 1843,
 Relative to an Orphan Asylum,
 Relative to the sale of property on execution,
 Relative to the militia,
 Relative to the orders of the day,
 Requesting the State Printer to furnish the Auditor's report,
 Requesting the same to furnish the Governor's message in German,
 Requesting the same to furnish the report of the Trustees of the Wabash and Erie Canal,

757

271	Miller,	271
276	Turman,	276
297	Hanna,	297
403	Niblack,	403
403	Niblack,	403
429	Niblack,	429
429	Knowlton,	429
430	Niblack,	430
450	Athon,	450
451	Athon,	451
451	Buckles,	451
496	Miller,	499
499	Day,	523
523	Hanna,	526
526	Knowlton,	526
526	Hamrick,	526
527	Sleeth,	527
527	Goodman,	527
588	Niblack,	589
589	Graham,	589
609	Mickle,	609
609	Dunn,	609
620	Woods,	620
625	Ellis,	625
625	Niblack,	625

Relative to amending the revenue laws,
 Relative to the accounts of Austin H. Brown, printer to the Convention,
 Relative to the reporter of the Journal,
 Relative to the removal of county seats,
 Relative to the payment of the expenses of selecting the swamp lands,
 Requesting the House to return to the Senate, Senate bill No. 150,
 Relative to the common school laws,
 Relative to the colonization of free blacks,
 Relative to the election of Commissioners of the Indiana Hospital for the Insane,
 Relative to an investigation of the charges against the officers of said Hospital,
 Relative to the non-payment of taxes,
 Relative to increasing the salary of the Governor,
 Granting the use of the Senate Chamber to Philip Satterthwaite,
 Requesting the House to return to the Senate House bill No. 257,
 Requesting the House to return Senate bill No. 65,
 Requesting the House to return Senate bill No. 166,
 Relative to the introduction of new business,
 Instructing the committee on Finance,
 Tendering the thanks of the Senate to the Door-keepers,
 Tendering the thanks of the Senate to the Secretaries,
 Relative to adjournings,
 Tendering the thanks of the Senate to the President,
 Relative to the distribution of the reports of Insane Hospital,
 Directing the communication of the Auditor of State, relative to the printing of the Convention, to be entered on the Journal,
 Tendering the thanks of the Senate to the reporters of newspapers,

RESOLUTIONS OF THE SENATE—Continued.

SUBJECT MATTER OF.

Introduced.	Mover's name.	Adopted.
630	Mr. Winsteadley,	630
634	Winsteadley,	634

Appointing a committee to inform the Governor that the General Assembly is ready to adjourn,
Directing the Secretary of the Senate to inform the House that the Senate is ready to adjourn *sine die*,

RUTER, ALANSON.

Elected Warden of State Prison, - - - - - 157

SECRETARY OF STATE.

Annual report of, (Sec. Doc. Journal,) - - - - - 89

SINKING FUND COMMISSIONERS.

Annual report of, (Sec. Doc. Journal,) - - - - - 69

SLEETH, JAMES M.

Attended, - - - - - 8
Petitions by, - - - - - 137, 193
Reports by, - - - - - 93, 151, 166, 254, 449, 488, 489, 504
Resolutions by, - - - - - 93, 526
Bills by, - - - - - 57, 160, 185, 214, 336, 527
Motions by, - - - - - 58, 74, 105, 137, 150, 160, 340

STATE BANK.

Report of, and Branches, (Sec. Doc. Journal,) - - - - - 69
Director elected, - - - - - 171, 172

STATE PRISON.

Election of Warden, - - - - - 159

T.

TEEGARDEN, ABRAHAM.

Attended, -	-	-	-	-	-	-	-	-	-	4
Petitions by, -	-	-	-	-	-	-	-	-	-	72, 95
Reports by, 134,	155, 161, 177, 229, 315, 331, 361, 386, 422, 436,	437, 450, 463, 469, 481, 489, 499, 504, 505, 526,	543, 546, 550, 558, 589, 623, 628, 630	-	-	-	-	-	-	8, 195
Resolution by, -	-	-	-	-	-	-	-	-	-	115, 161, 239, 253
Motions by, -	-	-	-	-	-	-	-	-	-	

TREASURER OF STATE.

Report of, (see Doc. Journal,).....	97
-------------------------------------	----

TURMAN, SOLON.

Attended, -	-	-	-	-	-	-	-	-	-	4
Petitions by, -	-	-	-	-	-	-	-	-	-	173, 174, 193, 215, 375, 499
Reports by, -	-	-	-	-	-	-	-	-	-	216, 514, 582
Resolution by, -	-	-	-	-	-	-	-	-	-	276
Bills by, -	-	-	-	-	-	-	-	-	-	172, 195, 265, 498, 528, 559
Motions by, -	-	-	-	-	-	-	-	-	-	173, 193, 195, 269, 283

VETO.

Veto Message on Senate bill No. 212, of last session, -	95
Veto Message on Senate bill No. 12, -	97, 98, 99, 101
Veto Message on House bill No. 4, -	109
Veto Message on House bill No. 330 of the last session, -	219

WALKER, GEORGE B.

Attended, -	-	-	-	-	-	-	-	-	-	3
Petition by, -	-	-	-	-	-	-	-	-	-	181
Report by, -	-	-	-	-	-	-	-	-	-	580
Bill by, -	-	-	-	-	-	-	-	-	-	528
Motion by, -	-	-	-	-	-	-	-	-	-	181

WABASH AND ERIE CANAL.

Annual Report of Trustees of, -	35
Trustee of, elected, -	153

WINSTANDLEY, JOHN B.

Attended, -	-	-	-	-	-	-	-	-	-	3
Petitions by, -	-	-	-	-	-	-	-	-	-	43, 318
Peports by, 92,	124, 175, 204, 254, 260, 277, 284, 359, 395, 376,	424, 445, 446, 447, 470, 516, 519, 547, 634	-	-	-	-	-	-	-	55, 129, 630, 634
Resolutions by, -	-	-	-	-	-	-	-	-	-	218, 336
Bills by, -	-	-	-	-	-	-	-	-	-	43, 50, 119, 177, 211, 237, 267, 291, 292, 333, 349,
Motions by, 43,	50, 119, 177, 211, 237, 267, 291, 292, 333, 349,	397, 415, 229, 555	-	-	-	-	-	-	-	

WOODS, JOHN.

Attended, -	-	-	-	-	-	-	-	-	-	4
Petitions by, -	-	-	-	-	-	-	-	-	-	181, 252, 318
Reports by, -	-	-	-	-	-	-	-	-	-	216, 331, 415, 489, 552
Resolutions by, -	-	-	-	-	-	-	-	-	-	42, 259, 525, 620
Bills by, -	-	-	-	-	-	-	-	-	-	52, 57, 452, 559
Motions by, 52,	141, 144, 181, 225, 234, 244, 291, 415, 481, 523	570, 609	-	-	-	-	-	-	-	

